



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

अंक, 34] शिमला, शनिवार, 5 अप्रैल 1986/15 चैत्र, 1908 [संख्या 14

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—	अनुपूरक	—

5 अप्रैल, 1986/15 चैत्र, 1908 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
संख्या एल० एल० आर० (डी०) (6) 11/86, तारीख मार्च 31, 1986.	विधि विभाग	हिमाचल प्रदेश विनियोग अधिनियम, 1986 (1986 का अधिनियम संख्यांक 9 इसके प्राधिकृत अग्रेजी पाठ सहित।
संख्यांक एल० एल० आर० (डी०) (6) 12/86, तारीख मार्च 31, 1986	—यथैव—	हिमाचल प्रदेश विनियोग (संख्या 2) अधिनियम, 1986 (1986 का अधिनियम संख्यांक 10) इसके प्राधिकृत अग्रेजी पाठ सहित।
संख्या एल० एल० आर० (डी०) (6) 13/86, तारीख मार्च 31, 1986	—यथैव—	हिमाचल प्रदेश विनियोग (संख्या 3) अधिनियम, 1986 (1986 का अधिनियम संख्यांक II) इसके प्राधिकृत अग्रेजी पाठ सहित।
नं० इ० एस० एन० एफ० (1)- 1/86, तारीख मार्च 31, 1986.	आवकारी तथा कराधान विभाग	अधिसूचना संख्या 1-17/64 (इ० एन० टी०), तारीख 28-10-1965 में 1-4-1986 से और संशोधन करने के आदेश, इसके प्राधिकृत अग्रेजी पाठ सहित।
—यथैव—	—यथैव—	पंजाब ऐक्साइज फिस्वल प्रादेश, 1932 का आदेश I-ए को प्रतिस्थापित करने के आदेश, इसके प्राधिकृत अग्रेजी पाठ सहित।

भाग 1—वेधार्थिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश हाईकोर्ट

NOTIFICATIONS

Shimla-1, the 13th January, 1986

No. HHC/Admn.6(23)/74-II.—Consequent upon the grant of casual/special casual leave w.e.f. 13th January, 1986 to 4th February, 1986 in favour of Shri Bishan Dass, Assistant Registrar, High Court of Himachal Pradesh, the Hon'ble the Chief Justice in exercise of the powers vested in him under rule 1.26 of the Himachal Pradesh Financial Rules, 1971, Vol. I, is pleased to declare Shri B.K. Sharma, Deputy Registrar (Admn), High Court of Himachal Pradesh as Drawing and Disbursing Officer of the establishment of this Registry and also the Controlling Officer for the purpose of T.A. etc. in respect of Class-III and IV establishment of this Registry under Head "214-Administration of Justice" during the aforesaid period of casual/special casual leave or until Shri Bishan Dass returns from leave.

By order,
R. L. KHURANA,
Registrar.

Shimla-1, the 22nd January, 1986

No. HHC/GAZ/14-99/80-I.—The following Judicial Officers appointed to the Himachal Pradesh Judicial Service vide Himachal Pradesh Government Notifications No. Home-B (B) 2-2/83, dated 24-12-1983, 3-1-1984 and 28-1-1984, having not been able to qualify the requisite Departmental Examination, the Hon'ble the Chief Justice and Judges have been pleased to extend their probation period under sub-rule(2)(b) of section C, Part-III of Rule 5 of the Himachal Pradesh Judicial Service Rules, 1973, for one year with effect from the dates shown against each, in order to enable them to avail the chance (s) to pass the requisite Departmental Examination :—

Sl. No.	Name of the Officer	Date from which probation period is extended
1	2	3
1.	Shri Sohan Lal Sharma	1-2-1986
2.	Shri J. S. Dahiya	1-2-1986
3.	Shri B. L. Soni	1-2-1986
4.	Shri A. C. Thalwal	1-2-1986
5.	Shri Chaman Lal Kochhar	6-3-1986

By order,
B. K. SHARMA,
Deputy Registrar (Admn.).

Shimla-2, the 28th January, 1986

No. HHC/Admn. (23)/74-II.—Consequent upon the grant of 6 days earned leave w.e.f. 13th January, 1986 to 18th January, 1986 with permission to prefix Second Saturday and Sunday falling on 11th and 12th January, 1986 and to suffix Sunday falling on 19th January, 1986 and special casual leave w.e.f. 20-1-1986 to 11-2-1986 in favour of Shri Surjit Singh, Addl. District and Sessions Judge (II), Shimla, the Hon'ble the Chief Justice in exercise of the powers vested in him under rule 1.26 of the Himachal Pradesh Financial Rules, 1971, Vol. I, is pleased to declare Shri R.C. Sharma, Sub-Judge-cum-Judicial Magistrate 1st Class (1), Shimla as Drawing and Disbursing Officer of the Court of Additional District and Sessions Judge (2), Shimla and also controlling officer for the purpose of T.A. etc. in respect of Class III and IV establishment of the aforementioned court under Head "214-Administration of Justice" during the aforesaid period of leave or until Shri Surjit Singh returns from leave.

By order,
R. L. KHURANA,
Registrar.

[Authoritative English text of H. P. Government notification No. Shiksha-II-Ja (1)/82-Part dated 5-11-86 as required under article 348(3) of Constitution of India.]

हिमाचल प्रदेश सरकार

EDUCATION DEPARTMENT

NOTIFICATION

Shimla-2, the 5th November, 1985

No. Shiksha-II-JA-(1)-4/82-Part.—Whereas it appears to the Governor, Himachal Pradesh that the Peace Heaven building and its land is likely to be required by the Himachal Pradesh Government at public expense for a public purpose, namely for the construction/running of Government Middle School Summer Hill, it is hereby notified that the land in the locality described below is likely to be acquired for the said purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor of Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said building and land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Shimla district.

SPECIFICATION

District: SHIMLA

Tehsil: SHIMLA

Village	Khasra No.	Area in Big. Bis.
BAGOG	50	0 10
	51	0 9
	52	0 6
Total ..		1 5

By order,
M. K. KAW,
Commissioner-cum-Secretary.

खाद्य एवम् आपूर्ति विभाग

अधिसूचना

शिमला-2, 14 फरवरी, 1986

संख्या एक 0 डी 0 एस 0 जी 0 (7) 2/82.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि समूहल वयर हाउसिंग कारपोरेशन, जो कि भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 के खण्ड (सी 0 सी 0) के अर्थ अन्तर्गत सरकार के स्वामित्व और नियन्त्रण के अधीन निगम है, के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन नामतः गांव नेर चौक, तहसील सदर, जिला मण्डी में खाद्यान्न भण्डारण के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निदिष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों के लिए यह घोषणा की जाती

है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन समाहर्ता, भू-अर्जन (एस0 डी0 एम0), मण्डी को एतद्द्वारा उक्त भूमि के अर्जन के लिए आदेश लेने का निदेश दिया जाता है।

भूमि का रेखांक, भू-अर्जन समाहर्ता (एस0 डी0 एम0), जिला मण्डी, हिमाचल प्रदेश के कार्यालय में निरीक्षण किया जा सकता है।

विवरण

जिला : मण्डी		तहसील : सदर			
गांव	खसरा नं०	रकबा बी० बि० बि०			
1	2	3	4	5	
नेर चौक	803/1	5	5	2	
एच० बी० नं० 222.	804/1	0	3	10	
	806	0	9	11	
कुल जोड़ ..		5	18	3	

[Authorised English text of this Department Notification No. FDS-G(7)2/82, dated 14-2-86 as required under clause (3) of Article 348 of the Constitution is hereby published].

Shimla-2, the 14th February, 1986

No. FDS-G(7)2/82.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Central Warehousing Corporation which is a Corporation owned and controlled by the State with the meaning of clause (cc) of section 3 of the Land Acquisition Act, 1894 (Act No. 1 of 1894) at its own expenses for a public purpose for the construction of godown for foodgrains, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition, Collector (Sub-Divisional Magistrate), District Mandi, is hereby directed to take order for the acquisition of the said land.

The plan of the land may be inspected in the office of the Land Acquisition Collector (Sub-Divisional Magistrate), Mandi, Himachal Pradesh.

SPECIFICATION

District: MANDI		Tehsil: SADAR			
Village	Khasra No.	Area Big. Bis. Bisw.			
NER CHOWK	803/1	5	5	2	
H.B. No. 222.	804/1	0	3	10	
	806	0	9	11	
Total ..		5	18	3	
By order, Sd/- Secretary.					

सिवाई एवं जन स्वास्थ्य विभाग

अधिसूचना

शिमला, 30 अक्तूबर, 1985

संख्या, सिवाई(II)7-2/85-हमीरपुर. —यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा

सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः ग्राम जीहण, तहसील नादौण, जिला हमीरपुर में उठाऊ पेयजल योजना हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्द्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इससे सम्बन्धित हो या हो सकते हैं, को जानकारी के लिए भू-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों/कर्मचारियों और श्रमिकों को इलाके में किसी भी भूमि में प्रवेग करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित श्रवण अनुमत सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देने हैं।

4. कोई भी हितवद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, हमीरपुर, हिमाचल प्रदेश लोक निर्माण विभाग के सम्मुख अपनी आपत्ति दायर कर सकता है।

विस्तृत विवरणी

जिला : हमीरपुर

तहसील : नादौण

गांव	खसरा संख्या	क्षेत्र	
		कनाल	मरला
1	2	3	4
जीहण	65/2	0	8
	76/1	2	2
	75/1	2	15
	74/1	0	13
किता ..	4	5	18

आदेश द्वारा,
बी० बी० टण्डन,
सचिव।

बहुदेशीय परियोजना एवं विद्युत विभाग

अधिसूचनाएं

यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि राष्ट्रीय पन-विद्युत परियोजना निगम सीमित (एन० एच० पी० सी०) जो कि भूमि-अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 के खण्ड (सी सी) के अर्थात् अन्तर्गत सरकार के स्वामित्व और नियन्त्रण के अधीन एक निगम है के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन के लिए नामतः* भूमि को जानों अपेक्षित है, अतएव एतद्द्वारा यह घोषित किया जाता है कि निम्नलिखित विस्तृत विवरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. भू-अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों के लिए यह घोषणा की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भू-अर्जन समाहर्ता, बैरा स्थूल परियोजना तीसा, जिला चम्पा को एतद्द्वारा उक्त भूमि के अर्जन के लिए आदेश लेने का निदेश दिया जाता है।

3. भूमि का रेखांक भू-अर्जन समाहर्ता, बैरा स्थूल परियोजना, तीसा के कार्यालय में निरीक्षण किया जा सकता है।

बरा-स्थूल परियोजना, सुरक्षानी के वर्जित प्रतिबन्धित क्षेत्र को सुरक्षा के निर्माण के लिए।

संख्या विद्युत-छ (5)-27/85.

जिमला-171002, 13 फरवरी, 1986

विनिर्देश

जिला : चम्बा

तहसील : चुराह

ग्राम	खसरा नं०	क्षेत्र	बी०	बि०
1	2		3	4
खण्डयारू	178/2		0	4
नं० ह० 248.				

*बैरा-स्यूल परियोजना के लिए मंजीर से सुरंगानी तक सड़क के निर्माण के लिए ।

संख्या विद्युत-छ (5)-54/85	जिमला-2,13 फरवरी, 1986		
वियाणा	6/2	0	1
ह० व० नं० 234	6/4	0	1
	7/2	0	2
	7/5	0	4
	8/2	0	3
	8/5	0	3
	367/1	0	9
	371/1	0	7
	372/1	0	1
	373/1	0	2
	374/1	0	4
	383/2	0	6
	383/5	0	7
	384/2	0	2
	384/4	0	3
	386/2	0	7
	386/4	0	3
	387/4	0	3
	387/5	0	4
	388/2	0	8
	388/4	0	6
	389/3	0	5
	389/4	0	6

1	2	3	4	5
	564/2		0	5
	593/2		0	5
	571/2		0	13
	594/2		2	2
	593/4		0	7
	592/5		0	2
	594/5		0	12
	609/2		0	12
	611/1		0	14
	621/1		0	5

कुल कित्ता : 33 10 14

*बैरा-स्यूल पन विद्युत सुरंगानी चम्बा के लिए सड़क धारठाला से पुल व सुरंग तक के निर्माण के लिए ।

संख्या विद्युत-छ (5) 28/85.

जिमला-171002, 13 फरवरी, 1986.

खंडयारू ह० व० नं० 248		
	179/1	0 11
	183/1	0 2
	184	0 15
	189/1	0 14
	190/1	0 15

कुल कित्ता .. 5 2 17

*मोहाल सुरंगानी न० ह० 235, तहसील चुराह, जिला चम्बा में बैरा-स्यूल पन-विद्युत परियोजना के मंजीर से सुरंगानी व सुरंगानी से सुरंग आउटलेट व बिजली घर तक के निर्माण के लिए ।

संख्या विद्युत छ (5) 46/85.

जिमला-171002, 13 फरवरी, 1986

सुरंगानी न० ह० 235		
	618/1	2 14
	667/1	4 11

कित्ता .. 2 7 5

आदेश द्वारा
के० सी० महाजन,
सचिव ।

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

FOOD AND SUPPLIES DEPARTMENT
BILASPUR, DISTRICT BILASPUR, HIMACHAL
PRADESH

ORDER

Bilaspur, the 24th January, 1986

No. 579 TO 621.—In partial modification of order No. 4099-4131 dated 9th August, 1985 and in exercise of the powers conferred upon me under clause 3(1) (d) of Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977, I, K. Lall, I.A.S., District Magistrate, Bilaspur district, Himachal Pradesh do hereby order to make the following addition at the end of para 2, sub para (4) of the aforesaid order:—

After the word ex-godown, add, "and the L.P.G. dealer shall pay Re. 1/- as rebate per Cylinder to such consumer".

K. LALL,
District Magistrate, Bilaspur.

OFFICE OF THE DISTRICT MAGISTRATE, MANDI
DISTRICT MANDI, HIMACHAL PRADESH

NOTIFICATION

Mandi, the 21st January, 1986

No. 26 MD-2 (71)/II.—In supersession of all the previous notifications issued by this office from time to

time vide which places for parking of Motor Vehicles was determined, I, Rajwant Sandhu, District Magistrate, Mandi, District Mandi, Himachal Pradesh in exercise of the powers vested in me under section 76 of the Motor Vehicle Act, 1939, in consultation with local authority & Chairman & President of Truck Operators Union and President Beopar Mandal Mandi, hereby fix the following parking places for the trucks and medium motor vehicles in Mandi town:

A. PARKING FOR LOADING AND UN-LOADING :

1. Chauhatta Bazar in front of M/s Jaimal Singh. 5 a.m. to 4.30 p.m. 2 vehicles at a time.
2. Samkhetar Bazar in front of Arya Samaj Mandir. 5 a.m. to 9 a.m. & 11 a.m. to 4 p.m. 1 vehicle at a time.
3. Samkhetar Bazar in front of Government Girls Hr. Sec. School. 5 a.m. to 8.30 a.m. & 11 a.m. to 3 p.m. 1 vehicle at a time.
4. Moti Bazar in front of Amritsar Transport Company. 5 a.m. to 9 a.m. & 11 a.m. to 4 p.m. 1 vehicle at a time.
5. School Bazar from the shop of M/s Dillo Ram & Co. upto United Commercial Bank. 5 a.m. to 5 p.m. 3 vehicles at a time.

6. Hospital road near Public School. 5 a.m. to 8.30 a.m. & 11 a.m. to 3 p.m. 2 vehicles at a time.
7. Mangwain Muhalla on the junction of Kehn-wal road on National Highway. -do- -do-

B. GENERAL PARKING OF TRUCKS AND MEDIUM MOTOR VEHICLES]

(i) General parking of trucks henceforth will be allowed only at the parking lot situated along National Highway near Suketi Bridge.

(ii) General parking of Mini trucks/Medium Motor vehicles will be allowed beyond the parking lot of trucks towards the B.S.L. Bridge along National Highway.

The parking should be done only at places which are wide enough and free movement of vehicular traffic on the roads should not be obstructed.

The parking of the vehicles at places other than these specified above is hereby strictly prohibited in the interest of the public safety and convenience.

RAJWANT SANDHU,
District Magistrate, Mandi.

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Una, the 25th March, 1986

No. PW-SE-IPHU-W-28/83-9571-74.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expenses for a public purpose, namely for construction of Tank Water Supply Scheme Deot Sidh, village Dadwal Chakmoh in Tehsil Barsar, District Hamirpur, Himachal Pradesh, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provision of section 7 of the said Act, the Collector of Land Acquisition, Himachal Pradesh P.W.D., is hereby directed to take order for the acquisition of the land.

A plan, of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P. W. D., Hamirpur.

SPECIFICATION

District : HAMIRPUR Tehsil : BARSAR

Village	Khasra No.	Area in K. M.	
1	2	3	4
DADWAL	2048/1	1	5
CHAKMOH			
Total		1	5

Sd/-
Superintending Engineer,
I & P H Circle, H.P. P.W.D., Una.

पालमपुर, 27 फरवरी, 1986

भूमि की जानी अपेक्षित है अतः यह घोषित किया जाता है कि नीचे विनिर्देश में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

भूमि अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों को यह घोषणा की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भू-अर्जन समारोहों, हिमाचल प्रदेश लोक निर्माण विभाग, कांगड़ा को एताद्वारा उक्त भूमि के अर्जन के लिए आदेश देने का निर्देश दिया जाता है।

भूमि का नक्शा पत्र समारोहों, भूमि अर्जन, हिमाचल प्रदेश लोक निर्माण विभाग, कांगड़ा (हि० प्र०) के कार्यालय में देखा सकते हैं।

विनिर्देश

जिन्ना : कांगड़ा

तहसील : कांगड़ा

ग्राम	खसरा नं०	क्षेत्र हेक्टेयर			
		3	4	5	
गोलडा	75/1	0	00	12	
	76/1	0	01	55	
	260	0	01	40	
	261/1	0	00	12	
	259/1	0	01	04	
	78	0	01	56	
	77/1	0	00	90	
	79/1	0	00	88	
	258/1	0	00	27	
	80/1	0	00	16	
	256	0	00	42	
	255/1	0	00	36	
	257/1	0	00	44	
	269	0	06	10	
	252/1	0	03	42	
	265/1	0	00	04	
	263/1	0	03	48	
	1265/271/1	0	00	12	
	1262/270	0	00	39	
	1263/270	0	00	84	
	251/1	0	00	67	
	1270/273/1	0	00	79	
	250 1	0	01	10	
	280	0	02	57	
	279/1	0	01	67	
	243/1	0	00	61	
	282	0	00	69	
	247/1	0	00	72	
	281/1	0	00	48	
	278/1	0	00	06	
	246/1	0	00	06	
	245/1	0	00	36	
	282/1	0	00	62	
	289/1	0	00	60	
	288/1	0	00	08	
	244/1	0	00	06	
	283	0	02	37	
	692/1	0	01	44	
	284/1	0	01	41	
	287/1	0	00	90	
	358/1	0	01	02	
	683	0	00	94	
	682	0	00	36	
	681	0	00	44	
	679/1	0	00	54	
	677/1	0	00	04	
	690	0	10	00	

संख्या एस० ई०/पंचम/रोड-एल०ए०-1167-71.—चूंकि हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि सरकार द्वारा सार्वजनिक खर्च पर सार्वजनिक उद्देश्य नामतः शाहपुर-दरीवी रोड कि० मी० 0/0 से 6/450 के निर्माण के लिए सार्वजनिक व्यय पर

1	2	3	4	5	1	2	3	4	5
	285/1	0	02	70		1097	0	02	24
	691/1	0	00	42		934/1	0	00	11
	689/1	0	02	61		936/1/1	0	00	12
	684/1	0	00	07		937/1	0	00	60
	676/1	0	01	23		944/1	0	00	66
	666/1	0	00	15		1096	0	00	60
	359/1	0	00	44		1024	0	03	64
	363/1	0	01	20		1028	0	07	84
	690/1	0	01	68		945/1	0	00	24
	665/1	0	00	84		1011/1	0	00	26
	364/1	0	01	72		1010/1	0	00	20
	364/2	0	01	77		1010/2	0	00	18
	652/1	0	00	48		998/1	0	00	56
	664/1	0	00	33		996/1	0	00	17
	655	0	00	39		993/1	0	00	42
	654	0	00	45		1088/1	0	00	12
	653	0	00	64		1087/1	0	00	18
	656/1	0	01	32		1086/1	0	01	02
	659/1	0	00	96		1083/1	0	00	93
	659/2	0	01	74		1043/1	0	01	00
	645	0	05	16		1025	0	00	48
	647/1	0	03	56		1026/1	0	00	63
	1250/633/1	0	00	72		1027/1	0	00	45
	644	0	01	72		1029/1	0	00	03
	642/1	0	01	23		1049/1	0	00	30
	643	0	05	52					
	661/1	0	01	28	कित्ता . .	139	1	53	96
	660/1	0	02	34					
	553/1	0	00	22	धर्मशाला	176/1	0	00	30
	641/1	0	02	55		78/1	0	00	52
	666/1	0	00	27		79/1	0	00	36
	1132	0	02	24		165/1	0	00	16
	1131	0	01	16		166/1	0	01	59
	1133/1	0	01	32		167	0	02	67
	1128	0	00	24		173	0	00	52
	908/2	0	00	66		172	0	00	34
	908/1	0	01	02		171/1	0	00	37
	1127	0	01	02		169	0	09	34
	1126	0	00	40		168	0	00	10
	1129/1	0	00	36		161/1	0	00	06
	1125/1	0	00	63		180/1	0	00	06
	909/1	0	00	98		160/1	0	01	65
	1120/1	0	00	15		182	0	02	93
	1119	0	00	84		181/1	0	02	22
	1118	0	00	80		184/1	0	00	21
	911/1	0	00	38		185/1	0	00	02
	1116	0	02	44		183	0	01	03
	1117	0	01	98		159/1	0	00	54
	1115/1	0	01	65		158/1	0	00	06
	912/1	0	00	30		157/1	0	00	52
	914/1	0	00	22		207/1	0	01	11
	916/1	0	00	26		209	0	04	90
	917/1	0	00	20		156/1	0	02	00
	921/1	0	00	03		208/1	0	00	78
	922/1	0	00	38		210/1	0	00	80
	923/1	0	00	03		211/1	0	00	06
	1100	0	02	72		212/1	0	00	14
	1099	0	01	32		213/1	0	00	10
	924/1	0	00	48		155/1	0	01	74
	1102/1	0	01	32		232	0	04	77
	1101/1	0	00	75		982/146/1	0	07	98
	1136/1	0	00	06		231/1	0	01	50
	1095/1	0	02	49		233/1	0	00	18
	933/1	0	00	30		250/1	0	00	12
	936/1	0	00	26		239/1	0	01	80
	935	0	00	71		241	0	02	24
	1098	0	00	90		984/247/1	0	00	27

1	2	3	4	5	1	2	3	4	5
	246/1	0	00	18		106/1	0	03	20
	245/1	0	01	86		93/1	0	00	57
	240/1	0	00	48		99/1	0	00	51
	244/1	0	00	18		100/1	0	00	48
	243/1	0	00	24		95	0	06	38
						96	0	05	75
कित्ता	44	0	50	00		104	0	11	30
						101/1	0	00	36
भनाला	1/1	0	00	96		110/1	0	00	36
	2	0	00	32		111/1	0	02	55
	4	0	03	82		114/1	0	01	10
	49	0	00	26		115/1	0	01	30
	62/1	0	00	42		116/1	0	00	85
	43/1	0	00	14		104/1	0	15	48
	48/2	0	00	15		181/1	0	00	20
	61/1	0	05	64		182/1	0	03	20
	43	0	00	46		184/1	0	04	05
	44	0	00	80		634/476/1	0	00	90
	45	0	02	45		203	0	00	60
	46	0	00	75		202	0	10	84
	38/1	0	00	56		205/1	0	02	40
	87/1	0	00	51		193/1	0	03	08
	58	0	05	70		194/1	0	01	52
						195/1	0	00	16
कित्ता	15	0	22	94		201/1	0	01	40
						206/1	0	01	86
चौरी	232/1/1	0	00	28		208/1	0	00	81
	234/1	0	01	24		208/2	0	00	69
	238/1	0	09	20		213/1	0	02	16
	237/1	0	10	45		200/1	0	01	28
	238	0	17	81		199/1	0	02	60
	245/1	0	01	20		212/1	0	01	41
	245/3	0	00	55		198/1	0	00	36
	248/1	0	04	39		214	0	07	42
	287/246/2	0	08	02		217/1	0	00	16
	287/246/3	0	02	38		215	0	03	36
	287/246/4	0	02	59		216/1	0	02	00
	287/246/5	0	04	29		209/1	0	00	84
	286/246/1	0	02	60		229/1/1	0	00	60
	287/246/6	0	12	94		229/1	0	00	75
	138/1	0	00	48		221/1	0	00	21
	287/246/7	0	23	78		220	0	05	85
	247	0	48	87		218/1	0	01	44
	144	0	34	36		219/1	0	01	40
	285/246/1	0	07	12		1/1	0	01	68
	285/246/2	0	00	60		2/1	0	00	67
	48/1	0	05	04		397/2/1	0	01	92
	1/1	0	65	90		397/1/1	0	04	80
	146/1	0	00	90		397/1	0	12	20
	245/4	0	00	60		322/1	0	22	84
कित्ता	24	2	65	59	कित्ता	56	1	71	85
बासा	95/1	0	07	65	कुल जोड़		6	64	34
	69/1	0	00	94					
	105/1	0	03	04					
	105/2	0	00	24					
	97/1/1	0	00	72					
	97/1	0	00	78					

अ.र.0 सी.0 कानिग,
अ.जी.मण अ.मि.म.ता,
पंचम वृत्त, हि.0 प्र.0 लो.0 नि.0 वि.0,
पालमपुर ।

भाग 3--अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि

FINANCE DEPARTMENT
TREASURIES AND ACCOUNTS ORGANISATION
NOTIFICATIONS

Shimla-2, the 5th September, 1984

No. Fin. (TR) (A) (3) 9/83.—In exercise of the powers

conferred by Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor Himachal Pradesh is pleased to make the following rules further to amend the Recruitment and Promotion Rules in respect of Class I (Gazetted) posts of Accounts Officers/ Financial Advisors/Chief Accounts Officers/Inspection

Officer (Treasuries) under the administrative control of the Treasuries and Accounts Organisation notified vide notification No. 20-28/68-Fin. (T&A), dated 11-3-1974, namely:—

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Class I (Gazetted) Posts of Accounts Officers/Financial Advisers/Chief Accounts Officers/Inspection Officers (Treasuries) Recruitment and Promotion (1st Amendment) Rules, 1984.

(ii) They shall come into force w.e.f. the date of issue of this notification.

2. *Substitution of Foot Note II appearing below the Recruitment and Promotion Rules in respect of the posts of Accounts Officers/Financial Advisers/Chief Accounts Officer/Inspection Officer (Treasuries).*—Foot Note II appearing below the Recruitment and Promotion Rules for the post of Accounts Officers/Financial Advisers/Chief Accounts Officers/Inspection Officers (Treasuries) shall be substituted as under:—

(1) Every member of the service shall pass departmental examination as prescribed in the Himachal Pradesh Departmental Examinations Rules, 1976 as amended from time to time, failing which he shall not be eligible to:—

- (i) cross the efficiency bar next due;
- (ii) confirmation in the service even after completion of probationary period; and
- (iii) promotion to the next higher post:

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under any rules before the notification of these rules, shall not be required to qualify the whole or in part, of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976 shall not be required to qualify the departmental examination prescribed under these rules:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1-3-76, shall not be required to qualify the departmental examination prescribed under these rules after attaining the age of 50 years for the purposes of: (i) crossing the efficiency bar next due and (ii) confirmation in the service after completion of probationary period.

(2) An Officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

(3) The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for reasons to be reduced to writing, exemption in accordance with the Departmental Examination Rules to any class or category of persons from the departmental examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

Shimla-2, the 15th September, 1984

No. 20-2/68-Fin. (T&A).—In exercise of the powers conferred by Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Recruitment and Promotion Rules in respect of Class II Gazetted post of Superintendent in the Treasuries and Accounts Organisation notified vide notification of even number, dated the 13th

May, 1974, namely:—

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Class II Gazetted post of Superintendent Recruitment and Promotion (2nd Amendment) Rules, 1984.

(ii) They shall come into force w.e.f. the date of issue of this notification.

2. *Deletion of Note 3 below the Recruitment and Promotion Rules for the post of Superintendent.*—The existing note 3 appearing below the Recruitment and Promotion Rules for the post of Superintendent shall be deleted.

3. *Renumbering of Note 4 appearing below the Recruitment and Promotion Rules for the post of Superintendent.*—The existing note 4 appearing below the Recruitment and Promotion Rules for the post of Superintendent shall be renumbered as note 3.

Shimla-2, the 21st September, 1984

No. 20-28/68-Fin. (T&A).—In exercise of the powers conferred by Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Recruitment and Promotion Rules in respect of Class II Gazetted post of Superintendent in the Treasuries and Accounts Organisation notified vide notification of even number, dated 13th May, 1974, namely:—

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Class II Gazetted post of Superintendent Recruitment and Promotion (3rd Amendment) Rules, 1984.

(ii) They shall come into force w.e.f. the date of issue of this notification.

2. *Substitution of Foot Note 3 appearing below the Recruitment and Promotion Rules in respect of the post of Superintendent.*—Foot Note 3 appearing below the Recruitment and Promotion Rules for the post of Superintendent shall be substituted as under:—

“Every member of the service shall pass departmental examination as prescribed in the Himachal Pradesh Departmental Examinations Rules, 1976 as amended from time to time failing which he shall not be eligible to:—

- (i) cross the efficiency bar next due;
- (ii) confirmation in the service even after completion of probationary period; and
- (iii) promotion to the next higher post:

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under any rules before the notification of these rules, shall not be required to qualify the whole or in part, of the examination as the case may be:

Provided further that an officer for whom no Departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976 shall not be required to qualify the departmental examination prescribed under these rules.

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1-3-1976, shall not be required to qualify the departmental examination prescribed under these rules after attaining the age of 50 years for the purposes of (i) crossing the efficiency bar next due and (ii) confirmation in the service after completion of probationary period.

2. An officer on promotion to a higher post in his

direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

3. The Government may in consultation with the H.P. Public Service Commission, grant in exceptional circumstances and for reasons to be reduced with the Departmental Examination Rules to any class or category of persons from the departmental examination in whole or in part provided that such officer is not likely to be considered for any other higher promotion before the date of his superannuation."

B. B. TANDON,
Secretary.

Shimla-2, the 25th August, 1984

No. FDS. A (3)-4/77.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to further amend the Recruitment and Promotion Rules in respect of post of Assistant Controller Weights and Measures in the Department of Food and Supplies, Rules 1974 and notified *vide* notification No. 5-2/73-SI (Estt.), dated the 4th October, 1974 and amended from time to time as per Annexure-III with immediate effect. New clause 14 shall be added in place of foot note. The foot note shall stand deleted.

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATIONS

Shimla-2, the 25th August, 1984

No. FDS. A. 3-5/77.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to amend the Recruitment and Promotion Rules for the post of Superintendent Grade I in the Food and Supplies Department notified *vide* this department notification No. 1-15/69 (F & S) dated the 11th December, 1973 and amended from time to time as per Annexure I with immediate effect. Foot note 6 shall stand deleted and column No. 14 shall be added in the main rules in its place as per Annexure I.

ANNEXURE-I

Col. No.	Title	Provision
14	Relaxation clause.	When the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing, and in consultation with the H.P. Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or post.

Shimla-2, the 25th August, 1984

No. FDS. A. 3 (4)/77.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to amend the Recruitment and Promotion Rules for the post of Assistants (Class III) in the Food and Supplies Department notified *vide* this department notification of even number, dated the 13th June, 1978 and amended from time to time as per Annexure-I with immediate effect. Foot note 2 shall stand deleted and column No. 14 shall be added in the main rules in its place as per Annexure-I.

ANNEXURE-I

Col. No.	Title	Provision
14	Relaxation clause.	Where the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category or posts.

ANNEXURE-III

Name of the Department. Food and Supplies.
Name of the Post. Assistant Controller
(Weights & Measure).

Sl. No.	Col. No.	Existing Provisions	Proposed Provision.
1.	2	3	4
1.	2	3 (Three) year	6 (Six)
2.	4	300—600	700—1200

ADDITION OF NEW CLAUSE IN PLACE OF FOOT NOTE

3.	14 (Relaxation)	—	When the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts.
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Shimla-2, the 25th August, 1984

No. FDS. A. (3)-4/77-II.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to amend the Recruitment and Promotion Rules for the post of Legal Assistant (III) in the Food and Supplies Department notified *vide* this department notification of even number, dated the 4th September, 1980 as per Annexure-I with immediate effect. Foot note 7 shall stand deleted and column 14 shall be added in the main rules in its place as per Annexure-I.

ANNEXURE-I

Col. No.	Title	Provision
14	Relaxation clause.	Where the Government is of the opinion that it is necessary or expedient to do so, it may by order for reasons to be recorded in writing and in consultation with the H.P. Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or post.

Shimla-2, the 25th August, 1984

No. FDS. A (3)-1/83.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased

to amend the Recruitment and Promotion Rules for the post of Law Officer (Class II) Gazetted in the Food and Supplies Department as per Annexure-I notified *vide* this department notification of even number, dated the 14th September, 1983 with immediate effect, Foot note No. 7 of the existing rules shall stand deleted and column 14 shall be added in the main rules in its place.

ANNEXURE-I

Col. No.	Title	Provision
14	Relaxation clause.	Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

Shimla-2, the 25th August, 1984

No. FDS.3A 10/77-II.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to amend the Recruitment and Promotion Rules for Himachal Pradesh Food and Supplies Department, Class IV Service (Recruitment, Promotion and certain Conditions of Service) Rules, 1972 notified *vide* this department notification No. 1-13/71-Co-op.(F&S), dated the 20th May, 1972 (and amended from time to time) as under with immediate effect.—

Rule 5 (1)(b) of the said rules shall stand deleted and sub-rules (c), (d), (e), (f) of rule 5 (1) shall be numbered as (b), (c), (d), (e).

Shimla-2, the 25th August, 1984

No. FDS. A (3)-4/77.—In exercise of the powers vested in him under proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to amend the Recruitment and Promotion Rules for Himachal Pradesh Food and Supplies Department Class III Service (Recruitment, Promotion and certain Conditions of Service) Rules, 1973 notified *vide* this department notification No. 1-15/69-F&S, dated the 11th December, 1973 (amended from time to time) as under with immediate effect.—

Rule 5 (1)(b) of the said rules shall stand deleted and sub-rules (c), (d), (e), (f) of rule 5 (1) shall be numbered as (b), (c), (d), (e).

Shimla-2, the 25th August, 1984

No. FDS. A (3)-6/77.—In exercise of the powers vested in him under Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to amend the Recruitment and Promotion Rules for the post of Deputy Director, Civil Supplies in the department of Food and Supplies notified *vide* this department notification No. 1-7/65-CS, dated the 17th September, 1966 and amended from time to time as per Annexure-I with immediate effect. Foot note shall stand deleted and column No. 14 shall be added in the main rules in its place as per Annexure-I.

Annexure-I

S. No.	Title	Provision
1	2	3
14.	Relaxation clause	When the Government is of the opinion that it is necessary or expedient to do so, it

1	2	3
		may by order, for reasons to do reduced in writing and in consultation with Himachal Pradesh Public Service Commission, relax any provisions of these Rules with respect to any class or category of persons or posts.

Shimla-2, the 27th August, 1984

No. FDS.A (3)-4/77-II.—In exercise of the powers vested in him under Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to amend the Recruitment and Promotion Rules for the post of Gestetner Operator Class-III Non-Technical (Ministerial) in the department of Food and Supplies notified *vide* this department notification of even number, dated the 5th September, 1980 with immediate effect as per Annexure-III.

ANNEXURE-III

क्रम संख्या	वर्तमान प्रावधान	प्रस्तावित प्रावधान
4	90-146	+00-600

By order,

ATTAR SINGH,

Finance Commissioner-cum-Secretary.

GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

Shimla-171002, the 31st August, 1984

No. 11-30/71-GA-A (Vol-II).—In supersession of this Department's Notification of even number dated the 7th March, 1984 and in exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following amendments in the Recruitment Rules for the post of Secretary District Soldiers' Sailors' and Airmen's Board Himachal Pradesh Class-I (Gazetted) issued *vide* this Department Notification No. 11-40/64-GAD dated 26-4-1967 as amended from time to time.—

1. *Amendments.*—The words "Secretary District Soldiers, Sailors' and Airmen's Board" appearing in first column of the Recruitment Rules shall be substituted by the words "Zila Sainik Welfare Officer."

2. The pay scale of "Rs. 350-25-550" appearing in column 4 of the Recruitment Rules shall be substituted by "Rs. 940-30-1000-40-1200/50-1400/60-1700-75-1850".

3. Foot notes as per annecure attached be annexed to the rules.

4. After column No. 13 of the Recruitment Rules the following new column No. 14 along with its heading shall be inserted namely.—

"14. *Power to Relax.*—Where the Government is of the opinion that it is necessary or expedient to do so it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or post."

ANNEXURE

Foot Notes:

1. A candidate for appointment to any service or post must be:—

- a citizen of India; or
- a subject of Nepal; or
- a subject of Bhutan; or
- a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India; or
- a person of Indian origin who has migrated from Pakistan, Burma, Srilanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (formerly Tanganyika

and Zanzibar), Zambia, Malwi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India/Government of Himachal Pradesh.

2. Upper age limit for direct recruits will not be applicable to the candidates already in the service of the Government.

3. Upper age-limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the H.P. Government.

4. Age limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.

5. Age and experience for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well-qualified.

6. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under column 2 are increased or decreased.

7. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva-voce* test, if the Commission so considers necessary or expedient by a written test, the standard/syllabus etc. of which will be determined by the Commission or a practical test.

8. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.

9. The employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in public sector corporation/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession, will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporations/autonomous bodies.

10. The appointments to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

11. Departmental Examination (i) a member of the service shall not be eligible for;

(i) crossing of efficiency bar next due;

(ii) confirmation in the service even after completion of probationary period, and

(iii) promotion to the next higher post unless he passes the Departmental Examination prescribed in the rules:

Provided that if there are specific rules governing the conditions of service of a category or a class of officers, the provisions contained in such rules relating to the effect of failure to pass the Departmental examination shall prevail:

Provided further that an officer who has qualified the Departmental Examination in whole or in part prescribed under any other rules before the notification of these rules not be required to qualify the whole or in part of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st of March, 1976, shall not be required to qualify the departmental examination prescribed under these rules.

(ii) an officer on promotion to a higher post in his direct line of promotion shall not be required to pass the aforesaid examination, if he has already passed the same in the lower gazetted post.

(iii) the Government may in consultation with the Himachal Public Service Commission, grant in exceptional circumstances and for reasons to be reduced in writing, exemption in accordance with the departmental examination rules, to any class or category of persons from the departmental examination in whole or in part.

K. C. PANDEYA,
Chief Secretary.

HEALTH AND FAMILY WELFARE DEPARTMENT NOTIFICATION

Shimla-171002, the 4th September, 1984

No. HFW-B(F)6-1/79.—In supersession of this Government notification No. 7-6/67-Med-II, dated the 7th April, 1969, the Governor, Himachal Pradesh is pleased to reconstitute the Executive Body of Himachal State Branch of Hind Kushat Nivaran Sangh under his patronage with headquarters at Shimla, comprising of the following:—

- | | |
|---|--|
| 1. Minister of State for Health, H.P. | Chairman |
| 2. Deputy Minister for Health, Himachal Pradesh | Vice-Chairman |
| 3. Director of Health Services, H.P. | Member |
| 4. Assistant Director (Leprosy) H.P. | Member-Secretary cum-Treasurer. |
| 5. Three members | (To be nominated by the Minister of State for Health). |

2. The Memorandum of the Association containing the aims and objects of the Himachal Pradesh Branch of Hind Kushat Nivaran Sangh and its Rules and Regulations is as under:—

HIMACHAL PRADESH BRANCH OF HIND KUSHT NIVARAN SANGH MEMORANDUM OF ASSOCIATION

1. The name of the Association shall be Himachal Pradesh Branch of Hind Kushat Nivaran Sangh.

2. *Objects*.—The objects for which the Himachal Pradesh Branch of Hind Kusht Nivaran Sangh (hereinafter called the Branch) is established are to further the aims and objects of Hind Kusht Nivaran Sangh, and

(a) The control of leprosy and relief and assistance in every way possible in the eradication of leprosy in the State.

- (b) To collaborate, to co-ordinate, or work in conjunction with other organisations already working for the control and eradication of leprosy in the State and particularly organizing services which are not covered by other organizations working in Himachal Pradesh.
- (c) to promote legislation for prevention, treatment, control and other ancillary services in the field of leprosy.
- (d) the promotion of social research, also the research into the causes and treatment of leprosy.
- (e) the devising of means whereby the results of such research may be communicated effectively to the social workers, medical professionals and the public.
- (f) the establishment and maintenance of the institutions such as clinics, hospitals or dispensaries for the treatment of patients by up-to-date scientific methods, the extension of existing institutions or the foundation of new ones where cases of leprosy may be treated and isolated, if necessary.
- (g) to educate public opinion with regard to leprosy and its control.
- (h) to receive any gift of property, endowment, revocable licence or money with or without conditions or a contract.
- (i) to purchase and acquire on lease or in exchange or on hire or otherwise any movable or immovable property.
- (j) to invest or reinvest any funds or money of the Branch.
- (k) to erect, construct, alter and maintain any buildings necessary or convenient for the purpose of the Branch.
- (l) the doing of all such things as are incidental or conducive to the attainment of the above objects or any of them or which may be conveniently done along with or as subsidiary to the said objects.

3. The names, addresses and the occupation of the persons who are the members of and form the first Executive Body of the Branch and to whom, under the rules and Regulations of the Branch, the management of its affairs is entrusted are as follows:—

- | | | |
|---------------------------------------|----|---------------------------------|
| 1. Minister of State for Health, H.P. | .. | Chairman. |
| 2. Deputy Minister for Health, H.P. | .. | Vice-Chairman. |
| 3. Director of Health Services, H.P. | .. | Member. |
| 4. Assistant Director (Leprosy) H.P. | .. | Member-Secretary-cum-Treasurer. |

5. Three members—(To be nominated by the Minister of State for Health).

4. The income and property of the Branch so derived shall be applied towards the promotion of the objects thereof as set-forth in this Memorandum. No portion of the income of property of the Branch shall be paid or transferred directly or indirectly by way of dividends, bonus or otherwise by way of profit, personally to the persons who at any time have been members of the Branch or any of them provided that nothing contained herein shall prevent the payment in good faith of remuneration or reimbursement to any member thereof or other person in return for any services rendered to the Branch or any expenses incurred by him.

RULES AND REGULATIONS OF HIMACHAL PRADESH BRANCH OF HIND KUSHT NIVARAN SANGH

PATRON.—The Governor of the Himachal Pradesh shall be the *ex-officio* Patron of the Himachal Pradesh Branch of Hind Kusht Nivaran Sangh hereinafter called the "Branch".

2. The first Executive Body of the Branch shall consist

of the persons whose names appear in clause (3) of the Memorandum of Association.

3. The Executive Committee, thereafter, shall consist of 11 members of which five may be office bearers, (i) Chairman, (ii) Vice-Chairman, (iii) Honorary Secretary-cum-Treasurer and eight members out of whom, three shall be nominated by the Governor and five elected by the Branch at the annual general meeting.

4. The Chairman of the Executive Committee shall be nominated by the Governor of the Himachal Pradesh and the Chairman shall nominate the Vice-Chairman, Honorary Secretary-cum-Treasurer from among the members:—

- (a) the Executive Committee is authorised to co-opt upto three persons whom they think helpful to the Branch,
 - (b) The term of office of the Executive Committee shall be two years, but the persons/members are eligible for re-election and re-nomination.
2. *Duties of the Chairman.*—The Chairman of the Executive Committee shall preside at, conduct and regulate all meetings of the Executive Committee or any other committees or sub-committees of which is as a member. He shall present the annual report to the general meeting of the Branch.
- (c) *Duties of Honorary Secretary-cum-Treasurer.*—The Honorary Secretary-cum-Treasurer shall enter or cause to be duly entered in books provided for the purpose.

(1) All appointments of officers and employees.

(2) The names of members present at each meeting of the Executive Committee and any sub-Committee.

(3) All orders made by Executive Committee and sub-committees.

(4) Minutes of all resolutions and proceedings of general meeting of the Branch and of the Executive Committee and Sub-Committees, every such minutes of any meeting of the Branch of Executive Committee or of any Sub-Committee in next succeeding meeting of the corresponding body shall be receivable as conclusive evidence of the matters stated in such minutes.

(d) The Honorary Secretary-cum-Treasurer shall be responsible for discharging of such other duties as may be interested to him by the Executive Committee.

(e) The Honorary Secretary-cum-Treasurer shall be responsible for the proper keeping of the account and shall act under the directions of the Executive Committee.

5. The members of the Branch shall be the persons whose names appear enclose (3) of the Memorandum of Association and such other person who, hereafter, become members of the Branch as follows:—

(a) *Life members.*—Those who pay a subscription of Rs. 150.

(b) *Ordinary Members.*—Those who pay an Annual subscription of Rs. 10.

(c) *Associate members.*—Those who pay an Annual subscription of Rs. 2.

The Executive Committee; may, however, recommend to the Headquarters the election of any person to Honorary membership of the Sangh of an appropriate grade for exceptional Services to the Branch.

Life Members and Ordinary Members shall be entitled to vote at General Meetings, Associate Members may attend and participate but shall not vote.

6. *General meeting.*—An annual General Meeting shall be held once a year in Shimla on a date to be fixed by the

outgoing Chairman of the Executive Body, who will act as president at the Annual General Meeting. Notice of the meeting shall be given to all members directly or by publication in the press a fortnight before the date fixed and shall specify the business to be transacted.

7. At the Annual General Meeting to be presided by the Chairman names of three members nominated by the Governor of Himachal Pradesh to serve on the Executive Body shall be announced and five other members elected, and the annual report and the accounts of past year presented. Any other business may be brought forward with the consent of the Chairman.

8. Extraordinary General Meeting may be called at any time by the Chairman.

9. All meetings of the Executive Body shall be presided over by the Chairman or in his absence by the Vice-Chairman and in the absence of both by such other member elected by those present.

10. All questions at the meeting shall be decided by votes of members present, taken by show of hands. Each member shall have one vote. In the event of an equality of votes at any meeting the Chairman of the meeting have second or a casting vote.

11. Seven days clear notice of any meeting of Executive Body specifying the place, day and hour of the meeting of and the general nature of the business transacted there shall be given to every member of the Executive Body by notice served personally or sent by post.

Emergency meeting of the Executive body may be called at least three days notice.

12. The accidental omission to give any notice to any member shall not invalidate any resolution passed at the meeting in respect whereof the notice has been given. Any notice sent by post as provided shall be deemed to have been served at the time at which the notice would be delivered in the ordinary course of post.

13. (a) At meetings of the Executive Body five members present in persons shall form a quorum.

(b) if no quorum is present within fifteen minutes of the time fixed for the meeting, the meeting shall be adjourned to time half an hour after the original time, at the same place unless otherwise decided. At such adjourned meeting the business for which the meeting was called may be transacted whether a quorum is present or not.

14. The management of all the affairs and the funds of the Branch shall vest in the Executive Body which shall have authority to carry out its objects and exercise all the powers of the Branch, subject, nevertheless to such limitations as the Branch may from time to time impose:

(a) Without prejudice to the general powers conferred on Executive Committee, it is hereby expressly declared that the Executive Committee shall have the following powers.

(b) to apply all funds and the assets of the Branch for the purpose as they may consider conducive to objects of the Branch and to invest such funds from time to time and to realize every such investments.

(c) to appoint and at their discretion remove or suspend such officer, clerk or servant from permanent, temporary or special services as they may from time to time think fit and to determine their powers and duties and to fix their salaries and emoluments.

(d) To frame bye-laws or any matter for which there is no adequate provision under these regulations.

(e) To frame and approve the Budget Estimate of the Branch from time to time.

15. Vacancies among the members of the Executive Body except the Chairman but including the Vice-Chairman and Honorary Secretary-cum-Treasurer, shall be filled by Chairman.

16. The Executive Body shall appoint any paid officers or clerk or other servants they may think proper, and determine their powers and duties and fix their salaries.

17. *Income.*—The Himachal Pradesh Branch of Hind Kusht Nivaran Sangh shall derive its income from one or more of the following sources:—

- grants made by the Central Headquarters of Hind Kusht Nivaran Sangh;
- subscription from members;
- grants from Government, Local Boards or any other means;
- donations; and
- funds specially raised by means of Leprosy day and other means of publicity.

18. The Bankers of Himachal Pradesh Branch of Hind Kusht Nivaran Sangh shall be the Himachal Pradesh Co-operative Bank Shimla or some other Scheduled Bank. All funds of the Branch shall be deposited in the name of the Branch into the said bank account which shall be operated by the Chairman and the Honorary Treasurer of the Branch jointly.

19. At least once in every year the accounts of the Branch shall be examined and the correctness of the account ascertained and certified by the auditors chosen by the Executive Body.

20. *Alteration of Rules and Regulations.*—The Rules and Regulations of the Branch may be altered, varied or revoked at any time by a resolution passed by a three-fourth majority of the members of the Executive Body present at any meeting duly convened for the purpose subject to the approval of the Annual General Meeting.

21. The Financial Year of the Branch shall be the Calendar year.

By order,
Sd/-
Secretary.

HOUSING DEPARTMENT

NOTIFICATION

Shimla-171002, the 22nd June, 1984

No. HSG. 1-9/75.—The Governor, Himachal Pradesh is pleased to notify the Rules for the Grant/Utilization of Subsidy under the Scheme of provision of House sites to landless workers in Rural Areas in Himachal Pradesh as enclosed.

RULES FOR THE GRANT/UTILISATION OF SUBSIDY UNDER THE SCHEME OF PROVISION OF HOUSE SITES TO LANDLESS WORKERS IN RURAL AREAS IN HIMACHAL PRADESH

1. *Short title and commencement.*—(1) These Rules shall be called the Himachal Pradesh Grant of Subsidy for the Development of House-sites provided to Rural Landless Families.

(2) These shall extend to the whole of Himachal Pradesh and shall come into force at once.

2. *Definitions.*—In these rules unless the context otherwise requires—

- 'block' means office of the Block Development Officer;
- 'block agency' means the officers/officials working in a office of the Block Development Officer;
- 'district' means a district in Himachal Pradesh;
- 'deputy Commissioner' means a Deputy Commissioner of a District in Himachal Pradesh;
- 'gaon sabha' means a Panchayat established under the Himachal Pradesh Panchayati Raj Act, 1968;
- 'Government' means the Government of Himachal Pradesh;

- (g) 'Harijans' means communities declared as Scheduled Castes under the Scheduled Castes and Scheduled Tribes (Constitution) Order, 1951;
- (h) 'house-site' means a plot of 100 sq. yds. in rural areas;
- (i) 'land-less' means a family which does not own any land whatsoever (Agricultural or otherwise) in the village/rural area;
- (j) 'proforma' means proforma annexed to these rules;
- (k) 'rural area' means the area situated in rural area Himachal Pradesh.
- (l) 'State' means the Government of Himachal Pradesh;
- (m) 'panchsala' means panchsala (five years average cost of land);

3. (a) The scheme aims at assisting the State Government to provide house-sites free of cost to families of landless workers in the rural areas who do not already own a house-site or a built up house or a hut on land of their own. With the house-sites, so provided the workers will have to build houses/huts thereon with their own resources, and live in peace without being constantly threatened with eviction by the owner of the land on which they have built their houses/huts.

(b) The scheme was introduced in 1972-73 as a 'CENTRAL SECTOR SCHEME' now it has been converted as a plan scheme of the State Sector under the 'Minimum Needs Programme'. It will, however, be implemented by the State Government through Deputy Commissioners and Block agencies.

4. *Scope of the Scheme.*—(a) The State Government shall take urgent action to:—

Utilize available land owned by the State Government or the Panchayats in villages for providing house sites free of cost to families of landless workers including Harijans and artisans communities in rural areas, dependent widow sisters, who do not own any house-sites to build their houses/huts or to all the eligible landless families in the State whether they are agricultural workers or not.

(b) The benefits of this scheme will be admissible to families of landless workers in rural areas provided that:—

- (i) neither the head of the family, nor any of its other members own any land whatsoever (Agricultural or otherwise) in the village/rural areas.
- (ii) the family depends for its livelihood mainly on the unskilled labour of its members (e.g., landless agricultural workers); and
- (iii) the members of the family reside in the village/rural area for the major part of the year.

For the purpose of the scheme, the term family will be deemed to consist of the worker his wife and dependent parents/children.

5. *Financial Assistance.*—(a) The entire cost of acquiring and developing land for providing house-sites to families of landless workers covered by para (b) above along with the cost of development of the land mentioned in para 4(a) above, in accordance with the approved programme, will be met by the Government of Himachal Pradesh as 100% grant assistance which will be made available to the Deputy Commissioners in the State. No expenditure shall be incurred by the State on appointment of staff etc., necessary for implementing the scheme. This scheme, however, shall be executed by the Deputy Commissioners through the Block agencies.

(b) Financial assistance will be released to the District authorities in instalments against each specified project, depending upon the progress of work and expenditure. If necessary, the Government may release cent per cent permissible assistance in one instalment.

6. *Utilization of Financial assistance.*—(a) Financial assistance provided by the Government under this scheme will be Utilized for the development of land in rural areas for being carved into house-sites for allotment, free

of cost, to families of landless workers residing in rural areas as are covered by para 4(a) above.

(b) No family shall be allotted more than one house-site, the size of a house site shall not exceed 100 sq. yds.

(c) The State Government shall distribute its own land or Panchayat land free of cost to the eligible families. If, due to un-foreseen circumstances, the land had to be acquired, this shall be done at the prevailing market rates based on 5 years average price in the area to be acquired (Panchsala). The cost of development shall not exceed Rs. 300 per site in plain areas and Rs. 500/- per site in hilly areas.

(d) The term 'development' will cover clearing and levelling of land and provision of paved streets and drinking water supply and sewerage water drains on the land proposed to be utilized for giving house-sites to eligible families.

(e) In case where adequate supply of portable drinking water is not already available, a covered masonry well may also be provided to serve a cluster of say, 40-50 house sites. The expenditure for the construction or digging of wells etc. for the common welfare shall be met out of the savings of the development cost from those families for whom the particular type of amminity is provided.

(f) In allotting the house-sites, there shall be no segregation of families belonging to scheduled castes/scheduled tribes. Such families shall be suitably interspersed along with the other families being allotted house-sites in or adjoining villages.

(g) The agreement/deed transferring house-sites to the allottees shall *inter-alia* contain a specific clause precluding the allottee from selling, mortgaging or otherwise transferring his rights in the plot to any third party.

7. *Formulation Scrutiny and Approval of Programme.*—The districts authority shall formulate specific projects taking one Community Development Block at a time, and send them to the Government, along with an explanatory note and relevant details as in the attached proforma No. I for prior scrutiny and approval (provision of house-sites to all eligible families in a Block is to be treated as one project) priority shall be given only to those Blocks in the District, which have sizeable concentration of landless rural labourers, particularly those belonging to the scheduled, castes/scheduled tribes. Those blocks which are covered under the Marginal Farmers Agricultural Labour/Small Farmers Development Agency, may be given priority.

8. *Conditions.*—(i) The Deputy Commissioners must satisfy about the correctness of total number of landless rural families who do not own any house-site or Agricultural land or otherwise and are eligible under the scheme.

(ii) In case the cost of the project happens to be more than the approved cost, the excess expenditure, if any, will have to be borne by the beneficiaries in the form of 'Shramda'. There is no harm, if the development is got done through beneficiaries themselves, but in no case the total development per house-site shall be Rs. 300/- or Rs. 500/- as the case may be.

(iii) the unspent amount out of the subsidy sanctioned, is to be refunded into the Government treasury under proper head of 'Receipt'

(iv) A Certificate to the effect that the first instalment of the approved scheme has been utilized, be sent to the Secretary (Housing) Himachal Pradesh Government so that the second instalment may be released.

(v) Where the full amount of the development cost, subject to the ceiling amount of Rs. 300/- or Rs. 500/- as the case may be, per plot has been sanctioned in favour of the Deputy Commissioner and has been released in one instalment, the actual, disbursement of the amount for development work shall be ensured under proper supervision of Block agency. The amount shall be disbursed not by an officer below the rank of the Block Extension Officer. After the completion of the whole work, he shall send utilization certificate to the Block Development Officer

that the amount has been disbursed in his presence after developing fully the house-sites concerned. The Block Development Officer shall countersign the utilization certificates and forward the same to the Deputy Commissioner and the Deputy Commissioner shall send the same, duly countersigned to the Government within six weeks of the receipt of the sanction, a composite utilization certificate.

(vi) The work on the development of house-sites shall be executed in accordance with the terms conditions and procedure of other similar developmental works being executed at the district level through block agencies.

The records of such work executed shall be maintained properly as all the accounts on this score is subject to Audit by the Audit party of the Accountant General, Himachal Pradesh.

9. *Process Reports.*—The Deputy Commissioners shall compile quarterly progress reports in prescribed proforma No. II (Attached) and send them to the Government by the 15th of the month following the quarter to which it relates. Officers of the State Government may also visit the various to assess the progress and evaluate the programme from time to time.

PROFORMA NO. I

Name of the State: Himachal Pradesh

Project for the provision of house-sites to families of landless workers in the rural areas of the community development Block (Name of the Block, in the District (Name of the District)).

1. Total No. of families of rural workers in the Block.

2. Total number of families, out of those given against item 1 above who do not own any house-site or other land (Agricultural or other-wise and are eligible under the scheme.

3. No. of Villages in the Block.

4. Village-wise distribution of eligible families given against item No. 2 above.

Sl. No.	Name of the village	No. of eligible families	Approximate %age of families belong of SC. Castes/tribes
1	2	3	4

5. Availability of land for house-sites.

Sl. No.	Name of block	Area of land regd. for eligible family in the block village-wise	Area of land already available village-wise		Area of land to be acquired (difference between Col. 3&6 village-wise)	
			State Govt. land	Goan Sabha land	Total	
1	2	3	4	5	6	7

6. Estimated cost of acquisition of the land shown in last column against 5 above.

7. Estimated cost of development of land (on the scale indicated in the scheme).

(i) State land	(ii) Govt. land	(iii) Panchayat land	(iv) Land to be acquired	(v) Total
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- Levelling.
- Paved streets,
- Drains.
- Masonry wells if any.
- Total :

8. Estimated average cost of a developed house-site in the Block on the basis of the above figures (col. 6 and 7).

9. Amount provided by the State Government for provision of house-sites/house to families of Schedule castes/tribes in the Block during the 4th Plan period

(both under the State Sector as well centrally sponsored sector).

10. Has the State Government enacted any Legislation for conferring homestead rights on families of landless workers in rural areas of the State? if so, please indicate:—

- Its titles and year of sanction.
- The extent to which it has been enforced in the Block.
- The total amount of compensation if any, paid (or to be paid) by the State Government under this Legislation in the Block.
- Is the amount referred to in (c) above, recoverable from the beneficiaries? If so, the average amount per beneficiary should also be indicated.

11. Remarks; if any.

Block Development Officer,
Block.....

Deputy Commissioner,
District.....

PROFORMA NO. II

Name for provision of house-sites to landless workers in rural areas.

Proforma for progress report.

Name of the State: Himachal Pradesh

Progress report for the quarter ending for.....
Block.....District Himachal Pradesh....

I. Extent of works required to be done: (as sanctioned by the State Government)

- Total area of land available with Government (in acres).
- Total area of land to be acquired in acres.
- Total No. of house-sites to be provided.
- Total No. of Scheduled Castes/Tribes families in the Block.
- Total No. of Scheduled Castes/Tribes families to be provided house-sites in the Block.
- Total length of:
 - Streets to be paved.
 - Store water drainage covered by the project (in kms.)

7. No. of masonry well if any covered by the project.

II. Progress made. Progress during the quarter under report Cumulative total since commencement.

(A) Land in acres.

- Area of land acquired.
- Area of land developed.
- Area of land utilized for house-sites.

(B) House-sites.

- No. of house-sites developed.
- No. of House-sites allotted to beneficiaries.

(i) Sch. Castes & Sch. Tribes.

(ii) Others.

(C) Streets & Drains (in kms).

- Length of streets laid.
- Length of Drains laid.
- Area of land utilized for streets and drains.

(D) Wells.

- No. of wells provided.
- No of House-sites covered per well.

III. Expenditure:

EXPENDITURE INCURRED

Approved cost	Amount incurred during this quarter	Total amount incurred from commencement
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- Expenditure incurred on acquisition of land.
- Expenditure incurred on development of land.
 - Levelling.
 - Paving street.

(iii) Paving drains.

3. Construction of wells.

4. Total expenditure.

IV. Any other remarks or special features of progress.

Deputy Commissioner.

District.....

Note.—1. Separate progress reports should be furnished in respect of each Block.

2. For projects approved by the Central Government, before 31-3-1974 separate progress reports should be submitted in the proper form.

By order,
C. P. SUJAYA,
Commissioner-cum-Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-2, the 28th August, 1984

No. 10-27/71-SI.—The Governor, Himachal Pradesh, is pleased to order to make the following amendments in the Incentives Rules notified *vide* this department notification No. 9-4/73-SI(Rules)-IV, dated the 14th May, 1987, regarding the grant of revised incentives to the new and already established industrial units in Himachal Pradesh, with immediate effect, except Serial No. 5 below which shall be effective from 14-5-1980:—

(1) Rule 5 ACQUISITION OF LAND:

In this rule the following shall be substituted:—

In "A" grade areas, land be given on no profit no loss basis. In "B" and "C" grade areas, price should be fixed at 50% of the cost of developed land.

(2) Rule 10.—CONCESSIONAL FINANCE IN NON-BACKWARD DISTRICTS.

Deleted.

(3) Rule 11.—15% OUTRIGHT SUBSIDY ON CAPITAL INVESTMENT:

Deleted.

(4) Rule 14.—CONCESSION OF CENTRAL SALES TAX, IN THE FORM OF INTEREST FREE LOAN ON SALES MADE OUTSIDE H. P.

Existing Scheme to continue with Second charge.

(5) Rule 15(A).—CONCESSIONS ON ELECTRIC TARIFF AND DUTY.

Deleted with effect from 14-5-1980.

(6) Rule 15(B).—INSTALLATION OF GENERATING SETS.

The following shall be substituted:—

In the case of continuous process industries, the amount of subsidy is fixed at 15% of the cost of D.G. sets subject to maximum of Rs. 75,000, if the project cost exceeds Rs. one crore.

By order,
R. K. ANAND,
Commissioner-cum-Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Shimla-2, the 25th August, 1984

No. 1-81/71-PWA.—In exercise of the powers vested in him under provision to Article 309 of the Constitution of India, the Governor, Himachal Pradesh is pleased to make the following rules to amend the provision below Rule 4(d) of Himachal Pradesh Public Works Department Subordinate Services Class III Junior Engineer (Electrical) Technical Rule, 1979 which were notified *vide* notification of even number, dated 18-1-1979.

1. *Short title and commencement.*—(a) These rules shall be called the Himachal Pradesh Public Works Department Subordinate Service Class III Junior Engineer (Elect.), Tech. Rules, 1979. (First amendment)
(b) These Rules shall come into force from the date of their publication in Himachal Pradesh Rajpatra.

The existing provision below Rule 4(d) shall be substituted as under:—

In case candidates at Serial No. (a), (b) and (d) are not available or do not fulfill the prescribed qualifications the quota meant for these categories will go to the category mentioned at (c) above.

For the categories at Serial No. (c) and (d) above common seniority list will be caste for the purpose of promotion in respect of Assistant Foreman in the pay scale of Rs. 120—250 and Electrician Grade-I in the same scale of pay. The vacancies will be filled up by promotion/direct recruitment as per 100 point roster.

HARSH GUPTA,
Secretary.

भाग 4—स्थानीय स्वायत्त शासन : म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 1st August, 1980

No. LSG.2-3/69-LSG.—In exercise of the powers conferred by section 4 of the Himachal Pradesh Municipal Act, 1968, the Governor, Himachal Pradesh is pleased to propose to include the areas of 28 Bighas and 10 Biswas comprising in Khasra No. 1941 to 1947, 3127 and 3140, within the limits of the Notified Area Committee Manali.

Any inhabitant of the Notified Area Committee of the said areas who desires to object or make any suggestion to the proposal, should submit the same in writing to the Government of Himachal Pradesh Local Self Government Department through the Deputy Commissioner, Kullu, within six weeks from the date of publication of this notification in the H.P. Rajpatra. The objections, if any received in the specified period will only be considered by the Government, before finalising the proposal.

By order,
SHAMSHER SINGH,
Secretary.

In pursuance of Clause (3) of article 348 of the constitution of India, the Governor, Himachal Pradesh is pleased to publish the English Text of Notification No. LSGA-(64) 19/81 LSG, dated 13-7-84 for the general information of the public:—

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 13th July, 1984

No. LSG.A (4)-19/81.—In exercise of the powers conferred by sub-section (1) of section 4 of the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968), the Governor, Himachal Pradesh proposes to include within the Municipal Units of Municipal Committee, Shri Naina Deviji in Bilaspur district, Himachal Pradesh, the area specified below in the Schedule.

Any inhabitant of the said area or that of the Municipality who desired to object to this proposal may submit his objection in writing to the Secretary (LSG) to the Government of Himachal Pradesh through the Deputy Commissioner, Bilaspur district, Bilaspur within six weeks

from the date of publication of this Notification in the Himachal Pradesh Rajpatra. The objection, if any, received within the stipulated period will be taken into consideration by the Government before finalising the proposal.

Name of the Village (vint)	Khasra number	Total area
1	2	3

(1) Man- 437/393, 440/393, 445/393, 447/94, 52.2
 diyali- 452/82, 450/96, 452/100, 454/395,
 387 447/102, 460/103, 466/401, 438/393,

1	2	3
	441/393, 443/92, 449/94, 95, 456/395, 458/102, 461/103, 467/401.	
(2) Bad- oh (min) 388.	1, 2, 3, 4, 5, 6, 7, 196/8, 197/8, 198/8, 9.	55.14
(3) Bad- horan (min) 385.	107/102, 1 B, 107/102/77/1	391.12

By order,
 Sd/-
 Secretary.

भाग 5-वैयक्तिक अधिसूचनाएं और विज्ञापन

In the Court of Shri O.P. Sharma District Judge, Una.
 Himachal Pradesh

Case No. 52/1985

Shukla Devi Versus Kewal Singh.

PETITION UNDER SECTION 13 OF HINDU
 MARRIAGE ACT

Versus

Kewal Singh s/o Jagat Ram caste Rajput r/o village
 saghnai, Tehsil Amb, District Una ... Respondent.

Whereas in the above noted case it has been proved to the satisfaction of this Court that the above noted respondent is avoiding the service of summons and he can not be served through ordinary mode of service. Hence proclamation under order 5 Rule 20 C.P.C. is hereby issued requiring him to appear in this Court on 11-4-1986 at 10 A.M. personally, through an Advocate or authorised agent to defend the case, failing which *ex parte* proceedings shall be taken against him in accordance with law.

Given under my hand and the seal of the Court this the 3rd day of March, 1986.

Seal. O. P. SHARMA,
 District Judge Una.

In the Court of Shri O.P. Sharma, District Judge, Una,
 District Una, Himachal Pradesh

Succession Act Petition No. 1 of 1986

Smt. Bimla Kumari wd/o Jagdev Singh s/o Thakur Dass
 resident of Village Langiana, Post Office Jawar, Tehsil
 Amb, District Una ... Petitioner.

Versus

General public ... Respondent.

Notice to:—

The general public.

Whereas the above noted petitioner has moved an application under section 372 of the Indian Succession Act for grant of Succession Certificate in respect of the assets debts of Shri Jagdev Singh now deceased s/o Thakur Dass r/o Village Langiana, Post office Jawar, Tehsil Amb, District Una, may be issued in her favour.

Hence this proclamation is hereby issued to the general public and kith and kins of the deceased of file their objection if any, before this Court on or before 21-4-1986 at 10 A.M. either personally or through an authorised Advocate, failing which the matter will be heard and decided *ex parte*.

Given under my hand and the seal of the Court this 25th day of February, 1986.

Seal.

O. P. SHARMA,
 District Judge, Una.

In the Court of Shri Shamsher Singh, Senior Sub-Judge,
 Hamirpur

Civil Suit No. 46/1985

Khiali Ram Versus Duru etc.

Versus

(2) Amar Nath s/o Ganga Ram Caste Rajput, (2) Sansar Chand, (6) Amin Chand s/o Suba residents of Dimwin, Tappa Bamsan, Tehsil Bhoranj, District Hamirpur ... Defendants.

Whereas in the above noted case, it has been proved to the satisfaction of this Court that above named defendants cannot be served in the ordinary course of service as they are evading the service of summons issued against them.

Hence this proclamation u/o 5. Rule 20 C.P.C. is hereby issued against them to appear in this Court on 24-4-86 at 10 A.M. personally or through an authorised agent or pleader to defend the case, failing which he will be proceeded *ex parte*.

Given under my hand and the seal of the Court this 26th day of February, 1986.

Seal.

SHAMSHER SINGH,
 Senior Sub-Judge, Hamirpur.

In the Court of Shri G.R. Sharma, Senior Sub-Judge,
 Kangra at Dharamshala

Succession Petition No. 9/85

Ashwani Kumar Awasthy son of Shri Munshi Ram,
 resident of Village and Post Office Dhanotu, via Rait,
 Tehsil and District Kangra ... Petitioner.

Versus

1. General public.
 2. Smt. Ansuyawati (widow of Shri Munshi Ram) daughter of Shri Tulsi Ram Purohit, resident of Village Upper Haripur, P.O. Haripur, Tehsil Dehra, District Kangra.

3. Smt. Ravi Kanta (d/o Late Shri Munshi Ram) wife of Shri Uttam Chand Shastri, Government High School, Raja-ka-Talab, Tehsil Nurpur, District Kangra.

4. Smt. Sharestha Kumari (d/o Late Shri Munshi Ram) wife of Shri Madan Lal Sharma, P.T.I., resident of village

Bahi, P.O. Dhullara, Tehsil Bhattiyat, District Chamba Himachal Pradesh.

5. Smt. Lalita Devi (d/o late Shri Munshi Ram) Teacher Government Primary School, Shahpur, Tehsil and District Kangra. Respondents.

Application under Section 276 of the Indian Succession Act for the grant of Succession Certificate.

To

The general public.

Whereas in the above noted case/petition, the petitioner Shri Ashwani Kumar Awasthy has applied for grant of Succession Certificate in respect of deceased Shri Munshi Ram son of Ram Rattan who died on 11-2-1985 at Tikka Dadhamb, P.O. Dhanotu, Tehsil and District Kangra a.

Notice is hereby given to the General Public, relations and kinsmen of the deceased Shri Munshi Ram that if any body has got any objection the same be filed in this Court on or before: 7-5-1986 at 10 a.m. personally or through pleader or through an authorised agent failing which the petition shall be heard and decided *ex parte*.

Given under my hand and the seal of the Court this 4th March, 1986.

Seal. G.R. SHARMA,
Senior Sub-Judge,
Kangra at Dharamshala.

In the Court of Shri G.R. Sharma, Senior Sub-Judge,
Kangra at Dharamshala

Guardianship Act No. 2/86

1. Smt. Sudrshna Devi widow of Shri Harbans Singh, son of Shri Jai Karan, resident of village Suradwan, P.O. Surdwan, Tehsil Nurpur, District Kangra, Himachal Pradesh resident of Village & Post Office Makroli, Mauza Bheri, Tehsil Nurpur, District Kangra. Applicant.

1. The general public Respondent.

To

The general public

Whereas the above named petitioner has filed an application in this Court under section 8 of the Hindu Minority and Guardianship Act 1955 for permission to dispose of by sale the share of Master Rakesh Singh son of Late Shri Harbans Singh in the land comprised, in Khata No. 22 min/33 Khatauni No. 88, Khasra Nos. 1203, 1211, 1216, 1217 Khatauni No. 89, Khasra Nos. 1201, 1202 1210, 1218, 1219, Khatauni No. 90 Khasra No. 1204, 1205, 1214, 1221, 1222 and Khatauni No. 92, Khasra Nos. 1185, total land measuring 1-21-77 Hectares situated in Mohal Upperli Band Mauza Surdwan, Up-Tehsil Indora, Tehsil Nurpur, District Kangra, to the extent of 1/3rd share jointly with other co-shares, along with a residential house.

Hence this proclamation is hereby issued to the General Public of the Illaqua and the near relations of the Minor Master Rakesh Singh to file objections, if any, for the grant of such permission in this court on 7-5-1986 at 10 A.M. personally or through pleader or an authorised agent, failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and the seal of the Court this 1st March, 1986.

Seal. G. R. SHARMA,
Senior Sub-Judge,
Kangra at Dharamshala.

In the Court of Shri G.R. Sharma, Senior Sub-Judge,
Kangra at Dharamshala

Guardianship Act No. 1/86

Smt. Parkasho Devi wife of Partap Singh, resident of Tika Tillo, Tappa Jallari, Tehsil and District Hamirpur. Applicant.

Versus

The general public. Respondent.

To

The general public.

Whereas the above named petitioner has filed an application in this Court under 8 of the Hindu Minority and Guardianship Act for permission to dispose of by sale the share of Subhash Chand minor son of Partap Singh in the land comprised in khata No. 25, Khatauni Nos. 47, 48, 49, 50, 51 & 52, Khasra Nos. 591, 595, 596, 599, 678, 691, 692, 592, 699, 700, 701, 702, 680, 687, 696, 679, 688, 689, 690, 683, 684, 685, 686 & 697, polts 26, land measuring 14-05-95 Hectars situate in Mauza Tanda, Sub-Tehsil Indora, Tehsil Nurpur, District Kangra entered in Jamabandi 1982-83 of Bandobast Jadid to the extent of 32/272 share i.e. land measuring 1-65-40 Hectares,

Hence this proclamation is hereby issued to the General Public of the Illaqua and the near relations of the minor Subhash Chand to file objections, if any, for the grant of such permission in this Court on 2-5-1986 at 10 A.M. personally or through pleader or an authorised agent, failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and the seal of the Court this 1st March, 1986.

Seal. G. R. SHARMA,
Senior Sub-Judge,
Kangra at Dharamshala.

In the Court of Shri G. R. Sharma, Senior, Sub-Judge,
Kangra at Dharamshala (H.P.).

SUCCESSION ACT PETITION No. 4/86

1. Smt. Nirmala Devi widow of Shri Purshotam Chand Mehta.
2. Savita aged 15 years minor daughter of Late Shri Purshotam Chand Mehta.
3. Barun Kumar aged 8 years minor son of late Shri Purshotam Chand Mehta.

All residents of Village and P.O. Paprola, Tehsil Palampur, District Kangra, Petitioners No. 2 and 3 are minor suing through their mother and natural guardian Smt. Nirmala Devi petitioner No. 1. Petitioners.

Versus

1. The general public.
2. Kamal Kant Mehta s/o Late Shri Purshotam Chand Mehta r/o Paprola, Tehsil Palampur, District Kangra, H.P.
3. Smt. Anita daughter of Late Shri Purshotam Chand Mehta, now wife of Shri Gandharb Mahajan r/o at present S.E. Office P.W.D., B&R Dalhousie, District Chamba (H.P.) Respondents.

To

The general public.

Whereas in the above noted case the above named petitioner has filed an application in this Court under section 372 of Indian Succession Act for the Grant of Succession Certificate in respect of assets of deceased Shri Purshotam Chand Mehta son of Shri Tulsi Ram Mehta, Village & P.O. Paprola, Tehsil Palampur, District Kangra, who died on 25-12-1980 at village Tikka Kasba Paprola, Tehsil Palampur, District Kangra (H.P.).

Hence this proclamation is hereby issued to the above named respondents of the illaqua and the kith and kins of the deceased to file objections, if any, to the grant of such Succession Certificate in this Court on 17-4-1986 at 10 A.M. personally or through pleader or any authorised agent, failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and seal of the Court this 24th February, 1986.

Seal, **G. R. SHARMA,**
Senior Sub-Judge,
Kangra at Dharamshala.

In the Court of Shri B.L. Soni, Sub-Judge, 1st Class, Kangra
C.S. No. 224 of 1985

Sounki Ram Versus Bhagat Ram, etc.

Versus...

1. Smt. Minjran widow of Relu resident of Sadarpur, Mauza Rajana, Tehsil and District Kangra. Defendant.

Whereas in the above noted case it has been proved to the satisfaction of this Court that the above named defendant is evading service of summons issued against her and cannot be served through an ordinary course of service. Hence this proclamation under order 5 rule 20 C.P.C. is hereby issued against the above named defendant to appear before this Court personally, through an advocate or an authorised agent on 14-4-1986 at 10 A.M. to defend here case failing which *ex parte* proceedings shall be taken against her.

Given under my hand and the seal of the Court this 14th day of March, 1986.

B. L. SONI,
Sub-Judge, 1st Class,
Kangra, District Kangra.

In the Court of Shri Jagmohan Singh Mahantan, Sub-Judge
1st Class, Nurpur, District Kangra (H.P.)

Civil Suit No. 176 of 1985

Dev Raj s/o Roda Ram, r/o Dhadoh, Mauza Anoh, Tehsil Nurpur Plaintiff.

Versus

Rekha Devi wd/o Shero r/o Dhadoh, Mauza Anoh, Tehsil Nurpur and others Defendants.

To

Dharam Pal s/o Shero, r/o Dhadoh, Mauza Anoh, Tehsil Nurpur, District Kangra (H.P.).

Whereas it has been proved to the satisfaction of this Court that the above noted defendant Shri Dharam Chand is evading the service of the summons and he can not be served through the ordinary process of service. Hence this publication under order 5, Rule 20 C.P.C. is made against him requiring him to appear in this Court on 21-4-1986 personally or through an authorised agent or pleader failing which the matter shall be heard and decided *ex parte*.

Given under my hand and seal of the Court this 25th day of February, 1986.

JAGMOHAN SINGH MAHANTAN,
Sub-Judge, 1st Class (I),
Nurpur, District Kangra.

Seal.

STATE BANK OF INDIA

NOTICE

Shimla, the 18th November, 1985

1. Shri B.R. Malik, Officer JMS-I assumed the complete charge of Branch Manager at our Manali Branch w.e.f. 23-3-1985.

2. Shri P.N. Joshi, Officer MMGS-II assumed the complete charge of Branch Manager at our Mandi Branch w.e.f. 6-5-1985.

3. Shri S.K. Chopra, Officer JMS-I assumed the complete charge of Branch Manager at our Chowari Branch w.e.f. 12-5-1985.

4. Shri S.K. Malhotra, Officer JMS-I assumed the complete charge of Branch Manager at our Katrain Branch w.e.f. 10-9-1984.

5. Shri T.R. Verma, Officer JMS-I assumed the complete charge of Branch Manager at our Mohla Branch w.e.f. 15-1-1985.

6. Shri O.P. Poonla, Officer JMS-I assumed the complete charge of Branch Manager at our Udaipur Branch w.e.f. 24-5-1985.

7. Shri A.K. Kaushal, Officer JMS-I assumed the complete charge of Branch Manager at our Sainj Branch w.e.f. 15-7-1985.

8. Shri B.M. Pal, Officer JMS-I assumed the complete charge of Manager (ABD) at our Kullu w.e.f. 14-5-1985.

9. Shri L.S. Sen, Officer JMS-I assumed the complete charge of Accountant at our Kullu Branch w.e.f. 1-10-1985.

10. Shri L.R. Gupta, Officer JMS-I assumed the complete charge of Accountant at our Mandi Branch w.e.f. 5-1-1985.

11. Shri R.K. Sharma, Officer JMS-I assumed the complete charge of Branch Manager at our Kullu Branch w.e.f. 2-9-1985.

12. Shri Som Dev, Officer JMS-I assumed the complete charge of Branch Manager at our Koylong Branch w.e.f. 19-1-1985.

13. Shri S.K. Taneja, Officer JMS-I assumed the complete charge of Branch Manager at our Bhuntar Branch w.e.f. 11-1-1985.

14. Shri T.R. Gupta, Officer JMS-I assumed the complete charge of Manager (PBD) Division at our Mandi Branch w.e.f. 3-10-1985.

15. Shri S.K. Bajaj Officer JMS-I assumed the complete charge of Branch Manager at our Chatrokhari Branch w.e.f. 15-7-1985.

16. Shri R.K. Sharma, Officer JMS-I assumed the complete charge of Branch Manager at our Kaza Branch w.e.f. 6-9-85

17. Shri Amar Singh, Officer, JMS-I assumed the complete charge of Branch Manager at our Gondhla Branch w.e.f. 17-9-1985.

18. Shri Om Prakash, Officer, JMS-I assumed the complete charge of Branch Manager at our Tabo Branch w.e.f. 13-8-1985.

Sd/-
Regional Manager.

HIMACHAL PRADESH FINANCIAL CORPORATION, SHIMLA

NOTIFICATIONS

Shimla, the 3rd January, 1986

No. HPFC/21-259/83-I.—Whereas M/s Ganesh Plastics (P) Ltd, Plot No. 2 E (1), Industrial Area, Mehatpur, District Una, Himachal Pradesh a Pvt Ltd. Company incorporated under the Companies Act, 1956 with S/Shri Vinod Kumar, Arvind Kumar, Kaushal Bhardwaj and Smt. Santosh Joshi all of District Jalandhar (P.) as Directors were sanctioned a loan of Rs. 5.00 lakhs (Rupees five lakhs only) by the Himachal Pradesh Financial Corporation for the construction of building and purchase of plant and machinery for setting up of an industrial unit for the manufacture of domestic and industrial plastic goods at Mehatpur, District Una, Himachal Pradesh;

And whereas for securing the repayment of the said loan and interest thereon, the said Company executed

agreements dated 27-11-1981 and 6-3-1984, agreements of hypothecation dated 27-11-1981 & 6-3-1984 and also created equitable mortgage by depositing title deeds of the properties of the Company in favour of the Corporation. The properties created and mortgaged/hypothecated are mentioned in Schedule 'A' hereunder. Besides, the deed of guarantee was also executed by the Directors of the Company. In the said documents, it was *inter alia* agreed by the said Company that repayment of the loan amount would be made in accordance with the repayment schedule entered in the said agreements besides interest.

19. Air Compressor.
20. Tools etc.

Shimla, the 3rd January, 1986

No. HPFC/7-96/83.—Whereas M/s Thakur Flour Mill, Ram Nagar (Phagli), Shimla-171004, a sole proprietary concern of Shri Inderdev Singh Thakur s/o Shri Hari Nand Thakur, r/o Hari Niwas, Ram Nagar, Shimla-4, were sanctioned a loan of Rs. 1,11,000/- (Rupees one lakh eleven thousand) only by the Himachal Pradesh Financial Corporation for construction of building & purchase of machinery for setting up an industrial unit for grinding of wheat at Ram Nagar (Phagli), Shimla-4.

And whereas for securing the repayment of the said loan and interest thereon, the said industrial concern executed agreements dated 24-3-83 & 22-3-84 and agreements of hypothecation dated 24-3-83 & 22-3-84 and also created equitable mortgage by depositing title deed of the properties besides deed of guarantee in favour of the Corporation, hypothecating/mortgaging the properties mentioned in Schedule 'A' hereunder. In the said agreements, it was *inter alia* agreed by the said industrial unit that repayment of the loan amount would be made in accordance with the repayment schedule entered in the said Agreements besides interest;

And whereas the said industrial unit has committed default in repayment of the loan amount according to the said repayment schedule and also of interest and has failed to honour its undertakings and commitments and has not so far cared to clear the outstanding dues despite demands and notices sent to it, AND WHEREAS according to the terms of the aforesaid documents, the entire amount together with interest upto the day of realisation of the full amount has become due for payment at once which has accumulated to Rs. 1,39,265.28 as on 10-12-85 including interest upto 9-12-1985.

Therefore, the Himachal Pradesh Financial Corporation has decided to take over possession of the said industrial unit M/s Thakur Flour Mill, District Shimla, Himachal Pradesh under section 29 of the State Financial Corporations Act, 1951 (Central Act No. 63 of 1951) with a right to transfer by way of lease or sale of the property mortgaged/hypothecated under the said documents to the Himachal Pradesh Financial Corporation and realise therefrom its outstanding dues, in case the said industrial unit fails to clear the outstanding liability to the Corporation within fifteen days from the date of publication of this notification:

SCHEDULE A

DETAILS OF MORTGAGED/HYPOTHECATED PROPERTIES MENTIONED HEREINABOVE

Lease hold rights of land measuring 2 Biswas comprised in Khewat/Khatauni No. 42/86, Khasra Nos. 366/217, situated at Ram Nagar (Phagle), Tehsil & District Shimla, Himachal Pradesh together with all structures & factories, plants constructed thereon along with one Atta Chakki, 2-½ ft. 960 RPM with 15 HP Motor together with accessories.

Shimla, the 3rd January, 1986

No. HPFC/21-188/82.—Whereas Messrs Himachal Stone Crusher, Mundkhar, Tehsil & District Hamirpur, Himachal Pradesh, a partnership concern of Shri Lachman Singh s/o Shri Chaudhary Ram, r/o Village Lafran, P.O. Baragaon, Tehsil Barsar, District Hamirpur, Himachal Pradesh, Shri Parkash Chand s/o Shri Bhagi Rath, r/o Village Daraoundla, P. O. Saned,

And whereas the said Company has committed default in the implementation of the project and in repayment of the loan amount according to the said repayment schedule and also of interest and has failed to honour its undertakings and commitments and has not so far cared to clear the outstanding dues despite demands and notices sent to it AND WHEREAS according to the terms of the aforesaid documents the entire amount together with interest upto the day of realisation of the full amount has become due for payment at once which has accumulated to Rupees 6,40,964.00 upto 10-12-85 including interest upto 9-12-1985.

Therefore, the Himachal Pradesh Financial Corporation has decided to take over the possession of the said industrial unit M/s Genesh Plastics (P) Ltd. under section 29 of the State Financial Corporations Act, 1951 (Central Act No. 63 of 1951) with a right to transfer by way of lease or sale of the property mortgaged/hypothecated under the said documents to the Himachal Pradesh Financial Corporation and realise therefrom its outstanding dues, in case the said industrial unit fails to clear its outstanding liability to the Corporation within fifteen days from the date of publication of this notification.

SCHEDULE A

DETAILS OF MORTGAGED/HYPOTHECATED PROPERTIES HEREINABOVE REFERRED TO

Lease hold rights of Plot No. 2 E (1) measuring 504 sq. mtrs. in Industrial Area, Mehatur, District Una, Himachal Pradesh together with buildings constructed thereon and all appurtenants, rights, tenements and hereditaments as well as electric installations, fixtures & fittings along with plant & machinery as detailed below:—

1. One Semi automatic injection moulding machine cap. 250 gms per shot along with 22-1/2 HP motors, 12-1/2 HP heaters.
2. One Screw Barrel for injection moulding.
3. One scrap Grinders 15" with 10 HP Motor.
4. One Semi Automatic blow moulding machine 2-1/2" dia upto 5 Lits with 20 HP.
5. One Hand moulding machine.
6. One Oven.
7. Dies of different sizes injection moulding 4 dies, blow moulding 6 Dies.
8. Tools of machineries.
9. Workshop equipments, pipe lines for machineries with pump and motor 1 HP.
10. Two Hand Moulding.
11. Dies (Purchased after 31st March, 83).
12. One 10 Lts. Jerry Cane.
13. Two Mugs.
14. Two Tea Stainer.
15. 1-1/2" Thermo Plastics Lay Flat tubing machine complete with all standard accessories with 10 HP Motor.
16. 28" Automatic Polythene page walling Sealing and Cutting Machine complete with all standard accessories and 5 HP Motor.
17. Dies of different sizes, provision for contingencies and provision for CST, installation, insurance & freight etc.
18. Semi Automatic Extender Dia 4" Gum Bloc Moulding Machine upto 50 Lts. with 35 HP Motor.

Tehsil & District Hamirpur, Himachal Pradesh and Shri Ramesh Kumar s/o Shri Biri Chand r/o Village Daraqundla, P.O. Saned, Tehsil & District Hamirpur, Himachal Pradesh were sanctioned a loan of Rs. 3.49 lakhs (Rupees three lakhs & forty-nine thousand only) by the Himachal Pradesh Financial Corporation for the construction of building and purchase of machinery for setting up a Stone Crusher for the manufacture of stone grits at Mundkhar.

And whereas for securing the repayment of the said loan and interest thereon, the said industrial unit executed an agreement dated 19-10-81 and agreement of hypothecation dated 20-10-81 and also created equitable mortgage by depositing title deeds of the properties of the concern, in favour of the Corporation, mortgaging/hypothecating the properties mentioned in Schedule 'A' hereunder. In the said agreement, it was *inter alia* agreed by the said industrial unit that repayment of the loan amount would be made in accordance with the repayment schedule entered in the said agreement besides interest.

And whereas the said industrial unit has committed defaults in repayment of the loan amount according to the repayment schedule and also of interest and has failed to honour its undertaking and commitments and has not so far cared to clear the outstanding defaults despite several demands and notice sent to it and whereas according to the terms of the aforesaid documents, the entire amount together with interest upto the date of realisation of the full amount has become due for payment at once which has accumulated to Rs. 5,30,132.68 as on 10-1-1985 including interest upto 9-1-85.

Therefore, the Himachal Pradesh Financial Corporation has decided to take over the possession of the said industrial concern M/s Himachal Stone Crusher, Mundkhar, Himachal Pradesh under Section 29 of the State Financial Corporations Act, 1951 (Central Act No. 63 of 1951) with a right to transfer by way of lease or sale of the property mortgaged/hypothecated under the said documents to the Himachal Pradesh Financial Corporation and realise therefrom its outstanding dues, in case the said industrial unit fails to clear its outstanding liability to the Corporation within fifteen days from the date of publication of this notification.

SCHEDULE—A

DETAILS OF MORTGAGED/HYPOTHECATED PROPERTIES MENTIONED HEREINABOVE

Lease hold rights of land measuring 98 Acres bearing Khasra No: 1500/1387 min, 1530/1384 min, 1025 M, 1025/1, 64 M, 1132/6M, 1155 M, 1159, situated at Mundkhar, Tehsil & District Hamirpur, Himachal Pradesh together with all structures, factories, plants erected/installed thereon along with plant & machinery as detailed below:—

1. Rockmaster Double Roller type stone crusher size 32"x16" with complete items.
- 1-A. Supporting structures required for the belt conveyors.
2. Screening unit, with complete items.
3. Feeder Belt conveyors with complete items length 75'.
4. Back Feeding conveyors, with complete items, length 40'.
5. Delivery Belt conveyors, length 150' with complete items.
6. Misc. items like chutes, hoppers, V-belt, pulleys, driving shafts, etc.
7. Rockmaster double toggle Jaw crusher with complete items.
8. One Kirloskar make 40 HP, 1440 RPM, sq. cage electric motors, P.D.P. 3 phase 50 cycles, complete.
9. One Kirloskar make 40 HP 960 RPM Slipring caps 3 phase 50 cycles electric motor.
10. One UEI make oil immersed star delta starter suitable for 40 HP 960 RPM Slipring motor.
11. One UEI make slipring starter rotor starter suitable for 40 HP 960 RPM Slipring motor.

12. Four Batliboi make D.O.L. Starter 7.5 HP 3 HP, 5 H.P.
13. Two Standard make 200 Amps switch.
14. One Standard make 32 snps switch.
15. Five Standard make 16 Amps switch.
16. One Kirloskar make 7.5 HP 960 RPM sq. cage. TEFC 3 Phase 50 cycle electric motor.
17. One same as above but 5 HP of Motor.
18. Two same as above but of 3 H. P.

Sd/-,
Managing Director.

नोटिस इन्तहार अखबार

बख्शालत श्री बी० एम० नन्दा कुर्लेक्टर, उप-मण्डल बड़सर, जिला हमीरपुर, हिमाचल प्रदेश

अपील नं० 48 साल 1985

श्रीमती सरवणी देवी बासो मौर, तणा लोहड़, तहसील बड़सर

श्री राज कुमार आदि साकनान टीका मौर, तणा लोहड़, तहसील बड़सर, जिला हमीरपुर।

उनवान:—अपील विरुद्ध फैसला तहसीलदार बड़सर, दिनांक 7-8-1985
इन्तकाल नं० 289

नोटिस बनाव

श्री रेलू राम मुपुत्र राम दित्ता बामो टीका मौर, तणा लोहड़, तहसील बड़सर, जिला हमीरपुर।

मुकदमा उपरोक्त उनवानवाला में उपरोक्त फरीकदोयम को कई बार समन जारी किये गये परन्तु उनकी तामील जावना तरीका से नहीं हो रही थी अब अदालत हजा को पूर्ण विश्वास हो चुका है कि उनकी तामील साधारण तरीका से नहीं हो सकती अतः अब इस इन्तहार अखबार द्वारा सूचित किया जाता है कि वह बराए पत्रों मुकदमा असालतन या वकालतन हमारे न्यायालय हजा में दिनांक 28-4-85 को सुबह 10 बजे हाजिर आवें। अन्यथा उनके खिलाफ कार्रवाई एक तरफा अमल में लाई जायेगी।

बी० एम० नन्दा

मोहर।

कुर्लेक्टर

उप-मण्डल बड़सर, जिला हमीरपुर।

बख्शालत नायब-तहसीलदार, भू-व्यवस्था वृत्त, अथवा अख्तियार सहायक समाहती, द्वितीय श्रेणी श्री दिगनदाम शर्मा, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

विषय:—इन्तकाल नं० 828 बरास्त मकफूद-उल-खबर गंगुगिर मुपुत्र रामगिर राहिन निबामो भोजा घेवट बेट्ट, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

ज्ञापन

उपरोक्त विषय के बारे में सर्वसाधारण को सूचित किया जाता है कि इन्तकाल नं० 828 बरास्त गंगुगिर मकफूद-उल-खबर भोजा घेवट बेट्ट में बजे रजिस्टर इस कारण किया गया है कि गंगुगिर अम्ब 40 वर्ष से लापता है उसके किसी भी सम्बन्धी को उस के जीवित होने का पता न है। यदि गंगुगिर कहीं जीवित हो तो वह इस इन्तहार के शाया होने की अवधि के एक माह के अन्दर कार्यालय हजा में अमालतन या वकालतन हाजिर आवें। वसूहत दीगर यही समझा जावगा कि गंगुगिर अब इस नगर-संभार में नहीं रहा है। तथा इन्तकाल हस्त आब्ता फसना इल्लोगिर, शान्तिगिर, जिवगिर, कृष्णगिर मुपुत्र भगवान गिर मुपुत्र निहाल गिर, रोजननाल, देसराज, जीत राम, राम स्वल्प, रमश पप्पु मुपुत्र व श्रीमती शान्ति देवी श्रीमती बख्खो, श्रीमती बिमला देवी, मुपुत्र व श्रीमती शान्ति देवी विधवा बन्सीगिर मुपुत्र भगवान गिर, खुशिया मुपुत्र व श्रीमती बिमला देवी विधवा बन्सीगिर मुपुत्र भगवान गिर, खुशिया

सुपुत्र व श्रीमती विद्या देवी सुपुत्री कांशीगिर सुपुत्र भगवान गिर, बाल कृष्ण सुपुत्र विरज लाल सुपुत्र हरीगिर, मनीषा केसरू सुपुत्र हरी गिर सुपुत्र निहालगिर के नाम कर दिया जावेगा।

आज मिति 10-3-86 को मोहर अदालत व मेरे हस्ताक्षर से जारी हुआ।

मोहर।

हस्ताक्षरित,
नायब तहसीलदार भू-व्यवस्था,
वृत्त, अम्ब।

PROCLAMATION UNDER ORDER 5, RULE 22, C.P.C.

In the Court of Shri V.K. Ahuja, Senior Sub-Judge, Una
Himachal Pradesh

Succession Act Petition No. 2 of 1986

1. Janki Devi widow, 2. Rajinder Kumar son, 3. Kewal Chand, 4. Raj Kumar minors sons of Bhuri Singh s/o Shankar Dass Dhiman, resident of Village Sohari Takoli, Tehsil Bangana, District Una, Himachal Pradesh,

Petitioner Nos. 3 and 4 being minors by their next friend, mother Petitioner No. 1 .. Petitioners.

Versus

General public

.. Respondents.

To

The general public.

Whereas the above named petitioners has filed an application in this Court under section 372 of the Indian Succession Act for the grant of Succession Certificate in respect of the assets of Late Bhuri Singh s/o Shankar Dass r/o Village Sohari Takoli, Tehsil Bangana, District Una, Himachal Pradesh, who died on 18-5-1985.

Hence this proclamation is hereby issued to the General Public of the illaqua and the Kins of the deceased to file objections, if any, to the grant of such succession certificate in this Court on 16-4-1986 at 10 A.M. personally or through pleader or any other authorised agent failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and seal of the Court this 13th day of March, 1986.

Seal.

Sd/-

Senior Sub-Judge,
Una.

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT

NOTIFICATION

Shimla-2, the 30th July, 1984

No. LLR-E (9)9/84.—The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1984 (No. 8 of 1984) and the Terrorist Affected Areas (Specil Courts) Ordinance, 1984 (No. 9 of 1984) promulgated by the President, which have already been punished in the Gazette of India, Extra ordinary, Part-II, Section 1, dated 13-7-1984 and 14-7-1984 respectively are hereby published in the Himachal Pradesh Rajpatra for the information of the general public.

I. C. MALHOTRA,
Under Secretary.

THE CONSERVATION OF FOREIGN EXCHANGE AND PREVENTION OF SMUGGLING ACTIVITIES (AMENDMENT) ORDINANCE, 1984

(No. 8 of 1984)

Promulgated by the President in the Thirty-fifth year of the Republic of India.

An ordinance further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1984.

(2) It shall come into force at once.

2. *Substitution of new section for section 9.*—In the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974), for section 9,

the following section shall be substituted, namely:—

“9. *Cases in which and circumstances under which persons may be detained of longer than three months without obtaining opinion of Advisory Board.*—(1) Notwithstanding anything contained in this Act, any person (including a foreigner) in respect of whom an order of detention is made under this Act may be detained without obtaining, in accordance with the provisions of sub-clause (a) of clause (4) of article 22 of the Constitution, the opinion of an Advisory Board for a period longer than three months but not exceeding six months from the date of his detention, where the order of detention has been made against such person with a view to preventing him from smuggling goods; or abetting the smuggling of goods or engaging in transporting or concealing or keeping smuggled goods and the Central Government or any officer of the Central Government, not below the rank of an Additional Secretary to that Government, specially empowered for the purposes of this section by that Government, is satisfied that such person—

- smuggles or is likely goods into, out of or through any area highly vulnerable to smuggling; or
 - abets or is likely to abet the smuggling of goods into, out of or through any area highly vulnerable to smuggling; or
 - engages or is likely to engage in transporting or concealing or keeping smuggled goods in any area highly vulnerable to smuggling.
- and makes a declaration to that effect within five weeks of the detention of such person.

Explanation 1.—In this sub-section, “area highly vulnerable to smuggling” means—

- the Indian customs waters contiguous to the States of Gujarat, Karnataka, Kerala, a Maharashtra and Tamil Nadu and the Union territories of Goa, Daman and Diu and Pondicherry;
- in the inland area fifty kilometres in width from the coast of India falling within the territories of the States Gujarat, Karnataka, Kerala, Maharashtra and Tamil Nadu and the Union territories of Goa, Daman and Diu and Pondicherry;
- the inland area 50 kilometers in width from the India-Pakistan border in the States of Gujarat, Jammu and Kashmir, Punjab and Rajasthan;
- the customs airport of Delhi; and
- such further or other Indian customs waters, or inland area not exceeding one hundred kilometres

in width from any other coast or border of India, or such other customs station, as the Central Government may, having regard to the vulnerability of such waters, area or customs station, as the case may be, to smuggling, by notification in the Official Gazette, specify in this behalf.

Explanation. 2.—For the purposes of *Explanation 1*, “customs airport” and “customs station” shall have the same meaning as in clauses (10) and (13) of section 2 of the Customs Act, 1962 (52 of 1962), respectively.

(2) In the case of any person detained under a detention order to which the provisions of sub-section (1) apply, section 8 shall have effect subject to the following modifications, namely.

(i) in clause (b), for the words “shall, within five weeks”, the words “shall, within four months and two weeks” shall be substituted:—

(ii) in clause (c),—

(1) for the words “the detention of the person concerned”, the words “the continued detention of the person concerned” shall be substituted;

(2) for the words “eleven weeks”, the words “five months and three weeks” shall be substituted;

(iii) in clause (f), for the words “for the detention,” at both the places where they occur, the words, “for the continued detention” shall be substituted.

ZAIL SINGH,
President.

R.V.S. PERI SASTRI,
Secy. to the Govt. of India.

THE TERRORIST AFFECTED AREAS (SPECIAL COURTS) ORDINANCE, 1984

(No. 9 OF 1984)

Promulgated by the President in the Thirty-fifth Year of the Republic of India.

An Ordinance to provide for the speedy trial of certain offences in terrorist affected areas and for matters connected therewith.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NO, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Terrorist Affected Areas (Special Courts) Ordinance, 1984.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

2. *Definitions.*—(1) In this Ordinance, unless the context otherwise requires,—

(a) “Code” means the Code of Criminal Procedure, 1973 (2 of 1974);

(b) “H Court”, in relation to a Special Court, mean the High Court within the territorial limits of whose jurisdiction such Special Court is proposed to be, or is, established;

(c) “judicial zone” means a judicial zone constituted under sub-section (1) of section 3;

(d) “information” means a notification published in the Official Gazette;

(e) “Public Prosecutor” means a Public Prosecutor or an Additional Public Prosecutor or a Special Public Prosecutor appointed under section 9 and includes any person acting under the direction of the Public Prosecutor;

(f) “scheduled offence” means an offence specified in the Schedule being an offence committed in a terrorist affected area;

(g) “Special Court” means a Special Court or an Additional Special Court established under section 4;

(h) “terrorist” means a person who indulges in wanton killing of persons or in violence or in the disruption of services or means of communications essential to the community or in damaging property with a view to—

(i) putting the public or any section of the public in fear; or

(ii) affecting adversely the harmony between different religious, racial, language or regional groups or castes or communities; or

(iii) coercing or overawing the Government established by law; or

(iv) endangering the sovereignty and integrity of India;

(i) “terrorist affected area” means an area declared as a terrorist affected area under section 3;

(j) words and expressions used but not defined in this Ordinance and defined in the Code shall have the meanings respectively assigned to them in the Code.

(2) Any reference in this Ordinance to the Code or any provision thereof shall, in relation to an area in which the Code or such provision is not in force, be construed as a reference to the corresponding law or the relevant provision of the corresponding law, if any, in force in that area.

3. *Declaration of terrorist affected area.*—(1) If the Central Government is of the opinion that offences of the nature specified in the Schedule are being committed in any area by terrorists on such a scale and in such a manner that it is expedient for the purpose of coping with the activities of such terrorists to have recourse to the provisions of this Ordinance, it may, by notification,—

(a) declare such area to be a terrorist affected area: and

(b) constitute such area into a single judicial zone or into as many judicial zones as it may deem fit.

(2) A notification issued under sub-section (1) in respect of an area shall specify the period during which the area shall, for the purposes of this Ordinance, be a terrorist affected area, and where the Central Government is of the opinion that terrorists had been committing in that area, from a date earlier than the date of issue of the notification, offences of the nature specified in the Schedule on such a scale and in such a manner that it is expedient to commence the period specified in the notification from such earlier date, the period specified in the notification may commence from that date:

Provided that—

(a) no period commencing from a date earlier than six months from the date of publication of the notification shall be specified therein; and

(b) so much of the period specified in such notification as is subsequent to the date of publication of the notification shall not, in the first instance, exceed six months, but the Central Government may, by notification, extend such period from time to time by any period not exceeding six months at any one time, if the Central Government, having regard

to the activities of terrorists in such area, is of the opinion that it is expedient so to do.

Explanation.—For the avoidance of doubts, it is hereby declared that the period specified in a notification issued under this section may commence from a date earlier than the date of commencement of this Ordinance.

4. *Establishment of Special Courts.*—(1) For the purpose of providing for speedy trial of scheduled offences committed in a judicial zone, the Central Government may establish, by notification, a Special Court in relation to such judicial zone.—

- (a) within such judicial zone; or
- (b) if the Central Government having regard to the exigencies of the situation prevailing in such judicial zone considers it expedient so to do, at any place outside such judicial zone but within the State in which such judicial zone is situated.

(2) Notwithstanding anything contained in sub-section (1) if, having regard to the exigencies of the situation prevailing in a State Government is of the opinion that it is expedient to establish in relation to a judicial zone, or in relation to two or more judicial zones, in the State, an Additional Special Court outside the State, for the trial of such scheduled offences committed in the judicial zone or judicial zones, the trial whereof within the State.—

- (a) is not likely to be fair or impartial or completed with utmost dispatch; or
- (b) is not likely to be feasible without occasioning a breach of peace or grave risk to the safety of the accused, the witnesses, the Public Prosecutor and the Judge or any of them; or
- (c) is not otherwise in the interests of justice,

the State Government may request the Central Government to establish in relation to such judicial zone or judicial zones an Additional Special Court outside the State and thereupon the Central Government may, after taking into account the information furnished by the State Government and making such inquiry if any, as it may deem fit, establish, by notification, such Additional Special Court at such place outside the State as may be specified in the notification.

5. *Composition and appointment of Judges of Special Courts.*—(1) A Special Court shall be presided over by a Judge to be appointed by the Central Government with the concurrence of the Chief Justice of the High Court.

(2) The Central Government may also appoint, with the concurrence of the Chief Justice of the High Court, Additional Judges to exercise jurisdiction in a Special Court.

(3) A person shall not be qualified for appointment as a Judge or an Additional Judge of a Special Court unless he is immediately before such appointment a Sessions Judge or an Additional Sessions Judge in any State.

(4) For the removal of doubts, it is hereby provided that the attainment by a person, appointed as a Judge or an Additional Judge of a Special Court, of age of superannuation under the rules applicable to him in the Service to which he belongs, shall not affect his continuance as such Judge or Additional Judge.

(5) Where any Additional Judge or Additional Judges is, or are, appointed in a Special Court, the Judge of the Special Court may, from time to time, by general or special order, in writing, provide for the distribution of business of the Special Court among himself and the Additional Judge or Additional Judges and also for the disposal of urgent business in the event of his absence or the absence of any Additional Judge.

6. *Place of sitting.*—A Special Court may, if it considers it expedient or desirable so to do, sit for any of its proceedings at any place, other than the ordinary place of its sitting, in the State in which it is established:

Provided that if the Public Prosecutor certifies to the Special Court that it is in his opinion necessary for the protection of the accused or any witness or otherwise expedient in the interest of justice that the whole or any part of the trial should be held at some place other than the ordinary place or its sitting, the Special Court may, after hearing the accused, make an order to that effect unless, for reasons to be recorded in writing, the Special Courts thinks fit to make any other order.—

7. *Jurisdiction of Special Court.*—(1) Notwithstanding anything contained in the Code or in any other law, a scheduled offence committed in a judicial zone in a State at any time during the period during which such judicial zone is, or is part of, or terrorist affected area shall be tribal, whether during or after the expiry of such period, only by the Special Court established for such judicial zone in the State:

Provided that where the period specified under sub-section (2) of section 3 as the period during which an area declared by notification under sub-section (1) of that section to be a terrorist affected area commences from a date earlier than the date on which such notification is issued, then—

- (a) nothing in the foregoing provisions of this sub-section shall apply to a scheduled offence committed in such area in which the whole of the evidence for the prosecution has been taken before the date of issue of such notification; and
- (b) all other cases involving scheduled offences committed in such area and pending before any court immediately before the date of issue of such notification shall stand transferred to the Special Court having jurisdiction under this section and the Special Court to which such proceedings stand transferred shall proceed with such cases from the stage at which they were pending at that time.

(2) Notwithstanding anything contained in sub-section (1), if in respect of a case involving a scheduled offence committed in any judicial zone in a State, the Central Government, having regard to the provisions of sub-section (2) of section 4 and the facts and circumstances of the case and all other relevant factors, is of the opinion that it is expedient that such offence should be tried by the Additional Special Court established in relation to such judicial zone outside the State, the Central Government may make a declaration to that effect:

Provided that no such declaration shall be made unless the State Government has forwarded to the Central Government a report in writing containing a request for making of such declaration.

Explanation.—Where an Additional Special Court is established in relation to two or more judicial zones, such additional Special Court shall be deemed, for the purposes of this sub-section, to have been established in relation to each of such judicial zones.

(3) A declaration made under sub-section (2) shall not be called in question in any court.

Where any declaration is made in respect of any offence committed in a judicial zone in a State, any prosecution in respect of such offence shall be instituted only in the Additional Special Court established in relation to such judicial zone outside the State, and if any prosecution in respect of such offence is pending immediately before such declaration in any other court, the same shall stand transferred to such Additional Special Court and such Additional Special Court shall proceed with such case from the stage at which it was pending at that time.

8. *Power of Special Courts with respect to other offences.*—(1) When trying any scheduled offence, a Special Court may also try any offence other than the scheduled offence with which the accused may, under the Code, be charged at the same trial if the offence is connected with the scheduled offence.

(2) If, in the course of any trial under the Ordinance, it is found that the accused person has committed any offence, the Special Court may, whether such offence is or is not a scheduled offence, convict such person of such offence and pass any sentence authorised by law for the punishment thereof.

9. Public Prosecutors.—(1) For every Special Court, the Central Government shall appoint a person to be the Public Prosecutor and may appoint one or more persons to be the Additional Public Prosecutor or Additional Public Prosecutors:

Provided that the Central Government may also appoint for any case or class of cases a Special Public Prosecutor.

(2) A person shall be eligible to be appointed as a public Prosecutor or an Additional Public Prosecutor or a Special in Public Prosecutor under this section only if he has been in practice as an Advocate for not less than seven years or has held any post, for a period of not less than seven years, under the Union or a State, requiring special knowledge of law.

(3) Every person appointed as a Public Prosecutor or an Additional Public Prosecutor or a Special public Prosecutor under this section shall be deemed to be a Public Prosecutor within the meaning of clause (u) of section 2 of the Code, and the provisions of the Code shall have effect accordingly.

10. Procedure and powers of Special Courts.—(1) A Special Court may take cognizance of any scheduled offence, without the accused being committed to it for trial, upon receiving a complaint of facts which constitute such offence or upon a police report of such facts.

(2) Where a scheduled offence is punishable with imprisonment for a term not exceeding three years or with fine or with both, a Special Court may, notwithstanding anything contained in sub-section (1) of section 260 or section 262 of the Code, try the offence in a summary way in accordance with the procedure prescribed in the Code and the provisions of sections 263 to 265 of the Code, shall, so far as may be, apply to such trial:

Provided that when, in the course of a summary trial under this sub-section, it appears to the Special Court that the nature of the case is such that it is undesirable to try it in a summary way, the Special Court shall recall any witnesses who may have been examined and proceed to rehear the case in the manner provided by the provisions of the Code for the trial of such offence and the said provisions shall apply to and in relation to a Special Court as they apply to and in relation to a Magistrate:

Provided further that in the case of any conviction in a summary trial under this section, it shall be lawful for a Special Court to pass a sentence of imprisonment for a term not exceeding two years.

(3) A special Court may, with a view to obtaining the evidence of any person supposed to have been directly or indirectly concerned in, or privy to, an offence, tender a pardon to such person on condition of his making a full and true disclosure of the whole circumstances within his knowledge relative to the offence and to every other person concerned whether as principal or abettor in the commission thereof, and any pardon so tendered shall, for the purposes of section 308 of the Code, be deemed to have been tendered under section 307 thereof.

(4) Subject to the other provisions of this Ordinance, a Special Court shall, for the purpose of trial of any offence, have all the powers of a Court of Session and shall try such offence as if it were a Court of Session so far as may be in accordance with the procedure prescribed in the Code for the trial before a Court of Session.

(5) Subject to the other provisions of this ordinance, every case before an Additional Special Court shall be dealt with as if such case had been transferred under

section 406 of the Code to such Additional Special Court.

11. Power of Supreme Court to transfer case.—When ever it is made to appear to the Supreme Court that an order under this section expedient for the ends of justice, it may direct that any particular case be transferred from one Special Court to another Special Court.

12. Protection of witnesses.—(1) Notwithstanding anything contained in the Code, all proceedings before a Special Court shall be conducted *in camera*:

Provided that where the Public Prosecutor so applies, any proceedings or part thereof may be held in open court.

(2) A Special Court may, on an application made by a witness in any proceedings before it or by the Public Prosecutor in relation to such witness or on its own motion, take such measures as it deems fit for keeping the identity and address of the witness secret.

(3) In particular and without prejudice to the generality of the provisions of sub-section (2), the measures which a Special Court may take under that sub-section may include—

(a) the holding of the proceedings at a protected place;

(b) the avoiding of the mention of the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to public;

(c) the issuing of any directions for securing that the identity and addresses of the witnesses are not disclosed.

(4) Any person who contravenes any direction issued under sub-section (2) shall be punishable with imprisonment for a term which may extend to one year and with fine which may extend to one thousand rupees.

13. Power to transfer cases to regular courts.—Where after taking cognizance of any offence, a Special Court is of opinion that the offence is not a scheduled offence, it shall, notwithstanding that it has no jurisdiction to try such offence, transfer the case for trial of such offence to any court having jurisdiction under the Code and the court to which the case is transferred may proceed with the trial of the offence as if it has taken cognizance of the offence.

14. Appeal.—(1) Notwithstanding anything contained in the Code, an appeal shall lie as a matter of right from any judgment, sentence or order, not being interlocutory order, of a Special Court to the Supreme Court both on facts and on law.

(2) Except as aforesaid, no appeal or revision shall lie to any court from any judgment, sentence or order of a Special Court.

(3) Every appeal under this section shall be preferred within a period of thirty days from the date of the judgment, sentence or order appealed from:

Provided that the Supreme Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of thirty days.

15. Modified application of certain provisions of the Code.—

(1) Notwithstanding anything contained in the Code or any other law, every scheduled offence shall be deemed to be a cognizable offence within the meaning of clause (c) of section 2 of the Code and "cognizable case" as defined in that clause shall be construed accordingly.

(2) Section 167 of the Code shall apply in relation to a case involving a scheduled offence subject to the modifications that—

(a) the reference in sub-section (1) thereof to "Judicial Magistrate" shall be construed as a reference to "Judicial Magistrate or Executive Magistrate";

- (b) the references in sub-section (2) thereof to "fifteen days", "ninety days" and "sixty days", wherever they occur, shall be construed as references to "thirty days", "one year" and "one year" respectively; and
- (c) sub-section (2A) thereof shall be deemed to have been omitted.

(3) Sections 366 to 371 and section 392 of the Code shall apply in relation to a case involving a scheduled offence subject to the modifications that the references to "Court of Session" and "High Court", wherever occurring therein, shall be construed as references to "Special Court" and "Supreme Court", respectively.

(4) Nothing in section 438 of the Code shall apply in relation to any case involving the arrest of any person on an accusation of having committed a scheduled offence in a terrorist affected area.

(5) Notwithstanding anything contained in the Code, no person accused of a scheduled offence shall, if in custody, be released on bail or on his own bond unless—

- (a) the Public Prosecutor has been given an opportunity to oppose the application for such release, and
- (b) where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is likely to commit any offence while on bail.

(6) The limitations on granting of bail specified in sub-section (5) are in addition to the limitations under the Code or any other law for the time being in force on granting of bail.

16. Overriding effect of Ordinance.—(1) The provisions of this Ordinance shall have effect notwithstanding anything contained in the Code or any other law, but save as expressly provided in this Ordinance, the provisions of the Code shall, in so far as they are not inconsistent with the provisions of this Ordinance, apply to the proceedings before a Special Court; and for the purpose of the said provision of the Code, the Special Court shall be deemed to be a Court of Session.

(2) In particular and without prejudice to the generality of the provisions contained in sub-section (1), the provisions of sections 326 and 475 of the Code shall, as far as may be, apply to the proceedings before a Special Court, and for this purpose any reference in those provisions to a Magistrate shall be construed as a reference to the Special Court.

17. Delegation.—The Central Government may, by notification, delegate, subject to such conditions as may be specified, all or any of the powers exercisable by it under this Ordinance [except the power under sub-section (2) of section 4 and the power under sub-section (2) of section 7] to the State Government.

18. Power to make rules.—The Supreme Court may, by notification, make such rules, if any, as it may deem necessary for carrying out the purposes of this Ordinance.

19. Saving.—(1) Nothing in this Ordinance shall affect the jurisdiction exercisable by, or the procedure applicable to, any court or other authority under any law relating to the naval, military or air forces or any other armed forces of the Union.

(2) For the removal of doubts, it is hereby declared that for the purposes of any such law as is referred to in sub-section (1), a Special Court shall be deemed to be a Court of ordinary criminal justice.

20. Amendment of Act I of 1872.—In the Indian Evidence Act, 1872, after section 111, the following section shall be inserted, namely:—

"111A. *Presumption as to certain offences.*—(1) Where a person is accused of having committed any offence speci-

fied in sub-section (2), in—

(a) any area declared to be a disturbed area under any enactment, for the time being in force, making provision for the suppression of disorder and restoration and maintenance of public order; or

(b) any area in which there has been, over a period of more than one month, extensive disturbance of the public peace,

and it is shown that such person had been at a place in such area at a time when firearms or explosives were used at or from that place to attack or resist the members of any armed forces or the forces charged with the maintenance of public order acting in the discharge of their duties, it shall be presumed unless the contrary is shown, that such person had committed such offence.

(2) The offences referred to in sub-section (1) are the following, namely:—

- (a) an offence under section 121, section 121 A, section 122 or section 123 of the Indian Penal Code (45 of 1960),
- (b) criminal conspiracy or attempt to commit, or abetment of, an offence under section 122 or section 123 of the Indian Penal Code."

THE SCHEDULE

[See section 2 (f)]

PART I—INDIAN PENAL CODE

1. Offences under the following provisions of the Indian Penal Code, 1860 (45 of 1860):—

- (a) sections 121, 121A, 122, 123, 124 and 124A;
- (b) sections 128, 129 and 130;
- (c) sections 131, 132, 133, 134, 135, 136, 138 and 140; sections 153A and 153B; sections 189 and 190; sections 212, 216, 216A, 224, 225 and 225B; sections 295 and 295A; sections 302, 304 and 307;
- (d) sections 308 and 326;
- (e) sections 332, 333, 342, 343, 344, 346, 347, 353, 363, 364, 365 and 367; sections 392, 393, 394, 395, 396, 397, 398, 399 and 436; sections 505, 506 and 507.

PART II—THE EXPLOSIVES ACT, 1884

2. Offences under the following provisions of the Explosives Act, 1884 (4 of 1884):—

section 9B.

PART III—THE INDIAN TELEGRAPH ACT, 1885

3. Offences under the following provisions of the Indian Telegraph Act, 1885 (13 of 1885):—

sections 20 and 25.

PART IV—THE INDIAN RAILWAYS ACT, 1890

4. Offences under the following provisions of the Indian Railways Act, 1890 (9 of 1890):—

sections 126, 126A, 127 and 128.

PART V—THE EXPLOSIVE SUBSTANCES ACT, 1908

5. Offences under the following provisions of the Explosive Substances Act, 1908 (6 of 1908):—

sections 3, 4, 5 and 6.

PART VI—THE ARMS ACT, 1959

6. Offences under the following provisions of the Arms

Act, 1959 (54 of 1959):—

sections 25 (1) excluding clause (b), 25 (1A), 25 (1B) excluding clauses (d), (e), (f), 26, 27, 28 and 29.

PART VII—THE UNLAWFUL ACTIVITIES (PREVENTION) ACT, 1967

7. Offences under the following provisions of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967):—

sections 10, 11, 12 and 13.

PART VIII—THE ANTI-HIJACKING ACT, 1982

8. Offences under the following provisions of the Anti-Hijacking Act, 1982 (65 of 1982):—

sections 4 and 5.

PART IX—THE SUPPRESSION OF UNLAWFUL ACTS AGAINST SAFETY OF CIVIL AVIATION ACT, 1982

9. Offences under the following provisions of the Suppression of Unlawful Acts against Safety of Civil Aviation Act, 1982 (66 of 1982):—

sections 3 and 4.

PART X—THE PREVENTION OF DAMAGE TO PUBLIC PROPERTY ACT, 1984

10. Offences under the following provisions of the

Prevention of Damage to Public Property Act, 1984 (3 of 1984):—

sections 3 and 4.

Note 1.—An offence specified in item 1 (b) of Part I of this Schedule (that is to say, an offence under section 128, 129 or 130 of the Indian Penal Code) shall be deemed to be a scheduled offence only where such offence is committed in relation to a prisoner accused, charged or convicted of a scheduled offence.

Note 2.—An offence specified in item 1 (d) of Part I of this Schedule (that is to say, an offence under section 308 or section 326 of the Indian Penal Code) shall be deemed to be a scheduled offence only where such offence is committed with a firearm.

Note 3.—The offence of criminal conspiracy or attempt to commit, or abetment of, an offence specified in this Schedule shall be deemed to be a scheduled offence.

Note 4.—The commission of an offence specified in this Schedule by any member of an unlawful assembly shall be deemed to be the commission of that scheduled offence by every other member of the unlawful assembly.

ZAIL SINGH,
President.

R.V.S. PERI SASTRI,
Secretary to the Government of India.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

शून्य

PART I

बहुद्देशीय परियोजना एवं विद्युत विभाग
अधिसूचना

शिमला-171002, 20 फरवरी, 1986

संख्या विद्युत-छ(5)13/85.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि राष्ट्रीय पन विद्युत निगम सीमित (एन 0 एच 0 पी 0 सी 0) जो भूमि अर्जन अधिनियम, 1894 (1894 का पहला अधिनियम) की धारा 3 (सीसी) के अधीन गत सरकार के स्वामित्व और नियंत्रण के अधीन एक निगम है के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन नामतः मोहाल जन्दरेड़ा, उप-तहसील सलूणी में चमेरा पन विद्युत परियोजना के लिए तलेख-खेरी सड़क के निर्माण हेतु भूमि अर्जित करना अपेक्षित है अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिशेष में जैसा कि नीचे विवरणी में निदिष्ट किया गया है उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है ।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इससे सम्बन्धित हैं या हो सकते हैं, को जानकारी के लिए भू-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है ।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश, इस समय इस उपक्रम के कार्यरत अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाके में किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत सभी अन्य कार्यों को करने के लिए सहमं प्राधिकार देते हैं ।

4. कोई भी ऐसा हितवद्ध व्यक्ति जिसे उक्त परिशेष में कथित भूमि के अर्जन करने पर कोई आपत्ति हो, तो वह इस अधिसूचना के प्रकाशित होने के 30 दिनों की अवधि के भीतर, लिखित रूप में भू-अर्जन समिति, चमेरा पन विद्युत परियोजना, हिल फूट्स,

डाकघर सुलतानपुर, चम्वा, हिमाचल प्रदेश के समक्ष अपनी आपत्ति दायर कर सकता है ।

त्रिनिदश

जिला: चम्वा

तहसील: मलूणी

गांव	खसरा नं०	अंश	बो०	बि०
1	2	3	4	
जन्दरेड़ा	526/231	1	11	
ह० ब० नं० 24	236	0	12	
	237	0	7	
	237/1	0	17	
	238	0	5	
	239	0	3	
	240	0	6	
	241	0	1	
	242	0	3	
	243	1	7	
	244	0	16	
	245/1	0	6	
	247	0	8	
	248	0	7	
	251	0	9	
	252	0	9	
	253/1	0	4	
	254	0	2	
	255/1	0	1	

1	2	3	4	1	2	3	4
	260/1	0	2		325	0	6
	266	0	7		326	0	4
	277	0	7		327	0	2
	278	0	5		328	0	8
	285	0	3		344	0	3
	286	0	3		345	0	2
	311/1	0	2		346	0	4
	312	0	1		495	0	2
	313	0	3		519	0	10
	314	0	4		520	0	9
	317	0	2				
	318	0	3				
	528/320	0	2	किता . .	46	15	4
	321	0	12				
	322	0	12				
	323	0	8				
	324	0	4				

आदेश द्वारा,
कैलाश चन्द महाजन,
सचिव।